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**Politics out of Security: rethinking trafficking in
women**

by

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Thesis submitted in fulfilment of the requirements for the degree of
PhD

Department of Politics and International Studies

The Open University

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Abstract

Human trafficking has recently become visible on the European agenda as a security problem, integrated in a continuum of organised crime, illegal migration, drug trafficking, and terrorism. This thesis unpacks the problematisation of human trafficking as security and attempts to rethink modes of unmaking security and disrupting its effects. Security practices have constitutive effects in terms of subjectivity and political effects in terms of the constitution of political community. The securitisation of trafficking in women entails practices that, for the purpose of governing the phenomenon, turn 'victims of trafficking' from suffering bodies into 'abject', risky others. Victims of trafficking are the locus of 'imputations of dangerousness', risky subjects who can engage in renewed migratory projects. Despite the depoliticising, inegalitarian, and exclusionary effects of security, political strategies that can unmake them are still lacking. This research proposes a politics of equality, liberty and universality, formulated as prescriptions against the state and enacted through forms of collective organisation. It draws on the work of Alain Badiou and Étienne Balibar to flesh out the implications of a politics of equality and universality in its relation to liberty and their disruption of practices of security. Equality and liberty suspend the practices of inequality and unfreedom that govern the situation of trafficking. A politics of equality and universality is formulated as the equality of work. Prostitution-as-work reconfigures the situation of trafficking, by making illegal migrant sex workers count where they had counted for nothing and changing forms of exploitation and abuse of victims in the margins of law from the perspective of work.

Table of contents

<i>Introduction</i>	6
The intersection of human trafficking and security	13
Unmaking security, a political task	15
<i>I. In the absence of security? The problematisation of human trafficking</i>	18
Introduction	18
Governmentality and the problematisation of human trafficking	24
Human trafficking as a problem of migration	29
Human trafficking as a problem of organised crime	34
Human trafficking as a problem of prostitution	38
Human trafficking as a problem of human rights abuse	44
Human trafficking and the absent problematisation of security	48
Conclusion	52
<i>II. The presence of an absence: theories of security and human trafficking</i>	54
Introduction	54
Questioning security: is it real or not?	56
Constructing security: the real of symbolic practices	61
Discovering security: the real of imaginary (in)security	71
Experiencing (in)security: the real of the subject/object	77
Conclusion	85
<i>III. Unmaking security: desecuritisation, emancipation, and ethics</i>	88
Introduction	88
Desecuritisation and alternative discourses	91
Emancipation and the democratisation of security	96
Ethics and abject others	101
Three strategies, one (governmental) lack	109
Conclusion	115
<i>IV. Remaking security? Practices, subjects, and resistance</i>	118
Introduction	118
Security as governmental: a topology of practices	121
Governing human trafficking: risk practices	128
Security effects: a taxonomy of subjects	135
Governing human trafficking: risky subjects	140
Conclusion	149
<i>V. Politicising the excess: emancipation as universality and equality</i>	151
Introduction	151
Political events, political subjects: excesses of a situation	155

The situation of migration/trafficking and excessive women	163
Principles of the event: universality and equality	169
The universality of work and its equal subjects	173
Conclusion	182
<i>VI. Rehistoricising the excess: emancipation and transformation</i>	184
Introduction	184
History and the struggles for equality	187
Politics in history: the transformation of universality	191
Transformative-emancipatory politics	199
Conclusion	205
<i>VII. Equality and liberty: the politics of inseparability</i>	207
Introduction	207
Governing the excesses of liberty	212
Governing through freedom	217
Inseparable equality and liberty or equaliberty	224
Conclusion	233
<i>VIII. The politics of writing</i>	235
Introduction	235
Human trafficking and security: locating the aporias of theory	239
Politics: re-locating the aporias of theory	253
Conclusion: Writing with the contradictions	263
<i>Conclusion</i>	265
<i>References</i>	272

Introduction

Six women who were rescued by police from a brothel in Birmingham during a high-profile operation last week and were due to be removed from the UK by immigration today, last night had their expulsion deferred following pressure from campaigners...

Sarah Green, for Amnesty International, said: 'We are seriously concerned about the process the women rescued have been through. We are concerned there may not have been enough time to adequately assess what happened to them, and what risks they face if returned to their countries. These cases illustrate the vulnerability of victims of trafficking and the lack of protection in Britain. This is why Britain should sign up to the European Convention against Trafficking, which it has so far failed to'.

It is understood that the 13 other women had leave to remain in the country and told police that they were voluntarily working in the sex industry. They are no longer in custody (The Guardian 5 October 2005).

This is one of the recent stories of trafficking that have not only gripped public attention in the UK, but have also created institutional and media confusion. Police, human rights activists, journalists, lawyers, and immigration officials have attempted to provide different rationales and interpretations of what happened and, more generally, to tell consistent stories about what human trafficking is. I have chosen this recent story to introduce my research, as it contains the contradictory ingredients that have prompted my thinking on trafficking, both in terms of the politics it instantiates and the politics it denies. What politics does human trafficking make possible and what politics does it deny and render

impossible? In the various accounts, trafficking appears as a new reality, though not unrelated to other social problems. Most often, trafficking is simply juxtaposed to illegal migration, prostitution and organised crime. In the words of a Radio 4 reporter commenting on the Birmingham case, it is also a story of exploitation and violence.¹

A first contradiction is embodied by trafficked women themselves: migrants to be deported and bearers of human rights to be protected. Uttering the sentence 'I have been trafficked' can remove women, at least temporarily, from one category to another. In the wake of the Birmingham raid, Anti-Slavery and Amnesty International have started a campaign for the UK to sign up to the European Convention against Trafficking (Amnesty International and Anti-Slavery International 2005), as the Convention grants a thirty-day reflection period to suspected victims of trafficking (Council of Europe 2005). The reflection delay is the time span within which trafficked women, with the professional help of psychologists and NGOs, can achieve the self-identification of 'victims of trafficking' and eventually name their traffickers and testify against them. Yet, the UK government has been wary of the provisions of the European Convention and a recent consultation paper on trafficking raises concerns that the automatic granting of reflection periods and residence permits to victims might act as a 'pull' factor for illegal migrants (Home Office 2006). The UK is not, however, singular and most European Union (EU) countries, even Convention signatories, try to tackle the fuzzy boundary between human trafficking and illegal migration. The distinction between victims of trafficking and illegal migrants appears as an unstable one and the suspicion of illegal migration will continue to hover over stories of exploitation and abuse.

Moreover, some of the women identified by the police as suspected victims of trafficking in the wake of the raid in Birmingham have refused to utter the sentence 'I am a victim of trafficking'. BBC Radio 4 has broadcast an interview with one of the women

¹ This research focuses on trafficking in women, as it is the dominant construction at the European level. Therefore, it will use 'trafficking in women', 'human trafficking', and 'trafficking' interchangeably. Although trafficking in children, trafficking for domestic work or trafficking in organs are gaining increasing prominence, this thesis does not explicitly engage with them. Questions of subjectivity and the construction of political agency would need to be thought in these concrete contexts.

'freed' from the Birmingham brothel. An illegal migrant, she was waiting in a detention centre to be deported back home, somewhere in Eastern Europe. Her decision not to admit to having been trafficked and to present herself as a free choice prostitute appeared even more contradictory when she admitted that 'nobody is happy there [in the brothel]' (BBC Radio 4 2005). The interviewer noted it as an 'inconsistency' in the story. Can supposedly free subjects 'choose' not to be happy? Another contradiction reminds us that the free choice subject is an abstraction that is doubled by the particularity and constraints of socio-economic conditions.

The debate between human rights activists and the Home Office on the deportation of the six women has pointed out yet another contradiction that the stories of trafficking expose, namely that of 'legality'. Trafficking is solely related to those who are illegally resident. The remaining women appear as free-choice workers in the sex industry. They do not have to justify their work or the extent of their free choice, as long as they work in regulated brothels. Trafficking becomes a problem most prominently in relation to illegality. Illegal migrants are under suspicion of having been trafficked; legal residents are 'uninteresting' for the state in this situation.

Simultaneously, the reality of trafficking introduces a split, a shortcut in the logic of how the state deals with illegal migrants. Victims of trafficking are vulnerable and insecure and should not be further victimised by the state. Hence victims of trafficking are allowed to stay until they decide whether they testify against their traffickers, or longer, depending on the European country in case. While the UK, for example, has a rather strict conditionality on granting permits to stay to victims of trafficking, Italy has been singled out as a model for granting residence permits to victims of trafficking independent of their willingness to testify. Nevertheless, the so-called 'social path' that allows victims of trafficking in Italy to train for a job and reintegrate has been shown to entail constraints upon victims to testify (Anti-Slavery International 2002: 144). The European Commission itself has made the granting of short-term resident permits to suspected victims of trafficking dependent upon their usefulness for the judicial process and the conviction of traffickers (European Commission 2001b). The differences between the EU Member

States are less important for trying to understand how practices of security are deployed. Although I rely on the interventions devised by the EU and on developments regarding trafficking in women in the UK, I consider these cases as paradigmatic of the functioning of security and of its logic. The logic of security structures the field of practices that govern human trafficking, showing apparently different practices as symbiotic ones.

The contradictions that subtend the subjectivity of victims of trafficking and the location of trafficking as a phenomenon among specific social and economic problems will be approached from the perspective of discourses and practices that meta-structure these debates, namely security. Security practices allow for a symbiosis between these contradictions and lay the ground for their smooth functioning. The logic holding together the stories of trafficking and the institutional practices that 'order' these stories is that of (in)security.² This research will unpack the logic of security, its functioning and effects in structuring the social field and constituting the phenomenon of trafficking in women as a social problem. While issues of illegal migration and human rights – to limit these initial considerations to the introductory story I have chosen – are hotly debated, security assumptions remain taken for granted. The Home Office measures concerning illegal migrants remain perfectly acceptable, as long as victims of trafficking are clearly differentiated from the category of illegal migrants and receive a more humane treatment. It was therefore important to open up what 'security' does, what the effects of (in)security are and how practices and discourses of insecurity can buttress or undermine the institutional and discursive construction of trafficking.

These contradictions or tensions function, however, smoothly together, embedded in a series of legitimate practices, in the unquestioned logic of security. The contradiction between the fact that the same women can walk freely or be deported, can be allowed to work or helped to recognise themselves as victims of trafficking, depending on a specific construction of legality or illegality has hardly been noticed. This contradiction becomes manifest only when decisions about who these women really are need to be taken. Are

² I paraphrase here a question formulated by Slavoj Žižek contra Michel Foucault's analysis of micro-practices. While Žižek would agree with analyses of micro-practices, of the local functioning of power relations, he would ask: 'what holds together this plurality?' (Žižek 1995: 198).

they illegal migrants or victims of trafficking, how is the decision to be made? The decision translates into an institutional struggle, where various professionals use their expertise to identify women as genuinely trafficked or illegally residing. If induced to admit to having been trafficked³, victims of trafficking expose the arbitrary boundary between regular and irregular migrants. Victims of trafficking are allowed to stay temporarily and to the extent that they can become a category clearly differentiated from illegal migrants.

The classification as victims simultaneously closes down and opens up specific possibilities of action. Women can act as victims of trafficking, press charges against traffickers, put the legal system to good use and be reintegrated into society. What is closed down in the shift of subjectivity from the category of illegal migrants to that of victims of trafficking (or vice versa) is the realisation that the two categories are artificially delimited. It is in the process of irregular migration (whether understood as illegal crossing of frontiers or as a lapse into a situation of illegality from a temporary situation of legal residence) that women can be abused and exploited. The category of trafficked women is not the negation of illegal migrants who make rational choices and appear as dangerous to Western states, but emerges through the very practices of security that states deploy towards migrants.

Renamed as victims of trafficking, women are forbidden forms of action deemed inappropriate to their victim status, such as sex work or renewed migratory projects. The relation between the forms of subjectivity that security practices assume and thus foster on the one hand and the subjectivity they exclude on the other has been another point of interest for this research. Victims of trafficking cannot be dangerous as they are differentiated from illegal migrants and criminals. Therefore, they cannot undertake actions that would be deemed as dangerous or risky by Western states. Migration, prostitution, and irregular work have been external forceful impositions upon them. Despite the continual attempt to differentiate victims of trafficking from other illegal migrants, this distinction is unstable. Trafficked women are eventually *voluntarily* returned

³ The woman interviewed in the Radio 4 broadcast declined having been trafficked. She presented herself as a rational migrant, attempting to change her situation and the condition of poverty.

home after having testified against their traffickers and having undergone more or less extended periods of *rehabilitation*. Instead of deportation, voluntary return. Instead of detention centres, rehabilitation shelters. Instead of illegal migrants, victims.

Although deployed upon supposedly different categories of subjects, the measures employed appear as hardly different. In the shift from the indiscriminate securitisation of all illegal migrants to an emphasis on the human rights of victims of trafficking – a shift made possible by the mobilisation of NGOs in the anti-trafficking struggle – what appears to change is rather the form of incarceration or the mode of normalisation. The logic of their removal from the space of the political community they attempted to enter irregularly remains the same. The contradiction between claiming the difference of victims of trafficking from other categories of migrants only to treat them in similar ways does not appear as a contradiction any more than other contradictions I have exposed.

Contradictions appear as non-contradictory through the structuring that practices of security entail upon the phenomenon of human trafficking. Human trafficking is problematised in relation to other social problems that are already constituted as security problems. Challenging the distinctions between human trafficking and other problematisations such as illegal migration does not disrupt the meta-structuring logic of security.

This research can be seen as having a bipartite structure. The first part entails asking questions about the meta-structuring of security and its relation to human trafficking, while the second part focuses on questioning and disrupting practices of security and their effects. Unmaking security practices only makes sense once the *a priori* question of what security does has been answered. The (in)security of trafficked women and their vulnerability appear to create a context in which women can be different from illegal migrants or prostitutes. They can become part of a new category, supposedly enjoying increased security. To understand what security entails, it is important not to conceptualise it as a social or psychological state, but to understand it as a series of mechanisms, of technologies that attempt to establish such an order (whether social or psychological). Security is a question of power and its instantiation upon the social. Such

an approach would allow us to see not what security means, but what security does. Practices of security bring back victims of trafficking upon the category of illegal migrants from which human rights activists incessantly try to dis-identify them. The political role of security practices can be understood by exploring their *effects* upon the constitution of political communities, the functioning of social and economic processes and the governing of populations.

The focus on effects, on how security discourses and practices work have led me to employ what I would call, following Paul Veyne's formulation, a 'methodology of the surface' (Veyne 1997). Effects are apparent on the surface; they are neither hermeneutically hidden nor simply an offshoot of structural causes. When asked to explain Foucault's method, Gilles Deleuze used a metaphor from Paul Valéry: 'le plus profond, c'est la peau [the most profound is the skin]' (Deleuze 1990/translation mine).⁴ This dermatological metaphor does not oppose surface to depth, but indicates that everything is on the surface, at the level of appearances.⁵ I have therefore re-read texts, reports, guidelines for actions, manifestos, affidavits, and legal files with the purpose of locating effects at the level of appearances. The interviews conducted with NGO representatives and police officials have not attempted to reach to a deeper meaning or interest that they would have in their representation of human trafficking. I have also not tried to do a minute analysis of technical details that would allow this research to discover contradictions between what is said and what is done. My interest has been in things that are always there, are reported, inscribed in documents and yet rarefied, made invisible through the very encounter with power. I have only tried to provide supplementary 'surfaces' where written texts have been scarce, such as the details of NGO work with victims of trafficking. The 'archive', as the 'system of formation and transformation of statements' (Foucault 2002: 127) contains both that which can be said and that which can be rarefied or made invisible. It is at this point that I have diverged from much of the feminist methodology. In the encounter with power relations, the 'truth' of trafficking is

⁴ I owe some of these methodological clarifications to Mariana Valverde (Valverde 2003).

⁵ In Chapter 5, the critique of Foucault's positivity of the social does not refute the importance of 'surfaces', but indicates the need to conceptualise negativity and excess in a social system.

there and it only becomes obliterated through the exercise of power. This 'truth' does not wait to be discovered through personal encounters that would be somehow placed beyond power relations, but are already there. These 'appearances' might be invisible because they are located so much on the surface.

Having unravelled the effects of security understood as a governmental practice that orders populations and constitutes forms of subjectivity through specific problematisations, I shall try to think what form of politics can emerge 'out of security'. Politics out of security starts from the conditions of possibility of security and it disrupts them, reconfiguring the way power functions in a specific situation. Can human trafficking be taken 'out of security'? This thesis will revisit different modes of thinking how 'politics out of security' can come to be and will propose a form of politics that is inspired by a hybrid reading of Alain Badiou's and Étienne Balibar's conceptualisation of a politics of emancipation and transformation. The thesis can also be read as a travelogue, formulating answers and revising them in light of their limits.

The intersection of human trafficking and security

The first chapter looks at how human trafficking has been 'problematised' by academics and practitioners alike. I use 'problematisation' to understand the various representations of trafficking: trafficking as a problem of migration, of organised crime, prostitution, or human rights abuse. Specific problematisations of trafficking enable certain interventions while limiting other representations and interventions. There is one representation that the literature on trafficking is wary of engaging with, i.e. the 'problematisation' of labour. In the context of the problematisation of migration, issues of labour are already framed in a discourse of 'legality/illegality'. Therefore, the problematisation of exploited labour as overarching does not resonate with this literature. Where there is a consensus on how to move forward on the problem of trafficking is the question of human rights. A human rights approach is seen to provide a politically effective representation of trafficking. This chapter will argue that there is one limitation that does not allow for this political representation,

namely the meta-structuring of human trafficking by security. Yet, in the relevant literature, there is no account of what it means to problematise trafficking in security terms.

Given this non-attention to the problem of security, Chapter 2 engages in a 'problematization of the problematization' of security. It looks at how security has been problematized, at what questions have been asked about what security is. It argues that the problematique of security needs to be shifted to 'how' questions, questions of effects and how security works. The limitation or the expansion of the realm of security is a historical and empirical question. How security works can be unravelled by looking at the discourses and practices of various actors who are tackling the problem of human trafficking. Their practices have constitutive effects in terms of subjectivity and political effects in terms of the constitution of political community. The 'subjects' of these practices become 'abjects', excluded, dangerous, or risky others. The constitutive effects that practices of security entail, their structuring of the social fabric in exclusionary terms raises the question of how to unmake these effects of security. Can security be thought differently, reconceptualised so as to entail other forms of subjectivity? Can a form of 'politics out of security' be thought and what would such a politics entail?

For much of critical security studies, security discourses and/or practices also appear as undesirable interventions upon the social. Some authors understand security in terms of urgency and exceptional practices that go beyond democratic practices (Waeber, Huysmans, Behnke). Others see security practices as unjustly converging upon the figure of the enemy, more specifically the migrant (Bigo). Others still criticise the imaginary of certainty and identity that security built into the modern political subject (Bauman, Campbell, Dillon). My critical engagement with practices of security and the attempt to think a form of 'politics out of security' stem from an understanding of the necessary constitution and representation of a space of abjection inhabited by non-subjects or not-yet-subjects. The effects of security or what security does lead to a concern with how to suspend its logic of exclusion and tear down the closures it instantiates.

Unmaking security, a political task

Chapter 3 opens up the question of how to unmake the effects of security by discussing three different strategies proposed in security studies and International Relations (IR): desecuritisation, emancipation, and ethics. While desecuritisation focuses on un-speaking security and replacing it by alternative discourses, emancipation and ethics attempt to reformulate the relation to the other. Emancipation endorses security as a relation that can be formulated towards the 'object' rather than simply the 'subjects' who are to be made secure, while ethics deconstructs the very relationality between subject and object by introducing unconditional principles in politics.⁶

These theoretical attempts are formulated in relation to a specific understanding of how security works: security as discourse, security as a promise, and security as the problematique of identity/difference. Chapter 4 brings an account of practice and power relations to bear upon these strategies of unmaking security. Alternative discourses are mobilised for governmental purposes. The expansion of security only shifts the spaces of abjection towards other categories of people. Various attempts at reconstituting the relation to trafficked women as dangerous illegal migrants into a relation to victims as objects of pity are re-appropriated and re-formulated within security practices. Rather than objects of pity, women continue to be risky bodies, object carriers of an un-materialised threat. Medicalised and psychologised, 'victims of trafficking' are also depoliticised, their resistance to the constitutive effects of security is rendered meaningless, read only as a pathological reaction rather than a political statement. Is there a way out of this impasse?

Drawing inspiration from Badiou's conceptualisation of a politics of excess, Chapter 5 will propose to think 'politics out of security' as an 'event'. Political events create new forms of subjectivity for the excessive elements of a situation and disrupt practices of security by enacting the principles of equality and universality. Unlike the ethical principles of infinite responsibility and pity, equality addresses everybody in a situation and is not liable to closure.

⁶ The object has been defined by Judith Butler as the domain of those who are not yet subjects, but who form the constitutive outside of the domain of the subject (Butler 1993).

This conceptualisation of politics will entail a shift from the representation of trafficked women or victims of trafficking as the 'abjects' of security to the presentation of illegal migrant prostitutes as excessive subjects. Illegal migrant prostitutes are neither included in the category of trafficked women nor in that of prostitutes. As illegal migrants, these women do not exist within the situation of trafficking. Trafficked women are not illegal migrant prostitutes, but are included in the situation by two moves: they are either unwilling, forced prostitutes or unwilling, forced migrants. Rather than integrated in the situation of prostitution/migration, trafficked women are to a certain extent divorced from it, differentiated from both prostitutes and migrants. A politics that would unmake the effects of security would therefore start from the standpoint of illegal migrant prostitutes rather than that of 'victims of trafficking'. Politics out of security disrupts the logic of security on the basis a claim to equality and universality. The profoundly inegalitarian claim of security, which separates those who are dangerous or risky from those who are not, is challenged by the enactment of equality.

Yet, as Chapter 6 will show, a politics of equality cannot be restricted to the forms of collective subjectification and organisation of (legal and illegal) sex workers as a politics of event and excess contends. Equality and universality exist as already inscribed in institutions – be it as a result of previous struggles against oppression or as historical contingencies. Challenging inscriptions in institutional locations can sustain or even precede events that create the political subject of the (sex) worker.

Chapter 7 will engage with the principles of politics and their limitation to the universal of equality as opposed to the famous opposition that political theory has discussed, namely between liberty and security. Trafficking in women has been remarkable through the absence of any claims to freedom. What are the limits of liberty that make it an impossible counterpart to security, despite a long tradition of political theory that has counterposed them? Combining insights from the debates on liberty with Balibar's conceptualisation of politics as equaliberty, this chapter will formulate a 'politics out of security' as a politics of equal liberty. Equal liberty implies that liberty cannot exist without equality, as inegalitarian claims to liberty only re-enact the logic of security.

The final chapter will think the conditions of a theory that can both support and judge praxis. Can theory make similar promises to the politics of equality and liberty? An interest in change is part of all critical theories and human trafficking is most conspicuously a phenomenon where 'change' has been hailed from all sides and by all those involved in one form or another with the phenomenon. The change that happens politically is not equivalent, however, to theoretical change. One will need to define the parameters and status of a theory that is harnessed to unmaking security. As this research attempts to formulate a critique against the effects of security, the conclusion will consider the implications of this critique for the concept of security. What does 'politics out of security' mean for the relation between politics and security?

I. In the absence of security? The problematisation of human trafficking

Introduction

[T]he Union's objective shall be to provide citizens with a high level of safety within an area of freedom, security and justice... That objective shall be achieved by preventing and combating crime, organised or otherwise, in particular terrorism, trafficking in persons and offences against children, illicit drug trafficking and illicit arm trafficking, corruption and fraud...(European Union 1992/Title 6 Art. 29).

Human trafficking has been a recent addition to the European political agenda. After the 1949 United Nations (UN) Protocol prohibiting human trade, trafficking became politically invisible until the end of the Cold War. In the nineties, Europe seemed to be confronted all of a sudden with a novel variant of trafficking, originating in the ex-communist countries in the now liberated East. Although concerns with human trafficking had surfaced before in other regions of the world and feminist international relations literature has drawn attention to practices of sex tourism and trafficking in South-East Asia (Enloe 1989; Moon 1997; Pettman 1996), in Europe the issue of trafficking had been quasi-invisible until the last decade. Suddenly raised to high political visibility, trafficking has become the topic of an ever-expanding literature.

In the midst of a context defined by the 'war on terror', where the security of the EU and its Member States has acquired a new urgency (Council of the European Union 2004), human trafficking is never far from the overarching concern with terrorism. The EU Hague Programme on the area of freedom, security and justice spells out the need for a more effective approach in 'cross-border problems such as illegal migration, trafficking in and smuggling of human beings, terrorism and organised crime, as well as the prevention

thereof' (Council of the European Union 2004: 3). The UK also made human trafficking one of its major concerns alongside terrorism for the 2005 Presidency of the European Council (UK Government 2005).

The visibility of the phenomenon, its novelty and protean nature, verging between concerns with immigration, organised crime, prostitution and human rights abuses have contributed to a literature boom across disciplines. The descriptive terms include human trafficking, human trade, trafficking in human beings, trafficking in persons, trafficking in women, alien smuggling, trafficking of aliens, illegal immigrant smuggling, trade of human beings, human commodity trafficking, and the list could continue. To accommodate the protean nature of trafficking, the literature has called for a comprehensive analysis from various vantage points. The perspectives on trafficking have been therefore diverse: moral, criminal, migration, human rights, public order, labour or gender (Kelly and Regan 2000: 4).

Although acknowledging these multiple perspectives, the literature on human trafficking has kept them largely separate, on the assumption that insights from various fields would lead to differentiated knowledge about trafficking. The 'holistic' or integrated approach that the OSCE has promoted since the late nineties could be described as an attempted felicitous addition of these perspectives (OSCE 1999). Much of the research done on human trafficking either has privileged one of the perspectives Kelly and Regan enumerate or has used a method of perspective addition. The recent attempt by the International Labour Organisation (ILO) to introduce 'forced labour' as an overarching perspective that would incorporate human trafficking as one of its manifestations has not fared very well, as it rejects the very idea of perspective addition (ILO 2005). It is not difficult to imagine that the question of labour as an over-arching perspective is a very sensitive one for the other perspectives involved and would problematise the easy addition of the various facets of trafficking (especially migration, human rights, and prostitution).

Whether done under the auspices of the EU or other international organisations such as the International Organisation for Migration (IOM), by non-governmental

organisations or independently by academics, research has 'vectored' human trafficking in the direction of migration, organised crime, prostitution or human rights. Ian Hacking has coined the term 'vector' in an analysis of how 'mad travellers' have been historically constructed (Ian Hacking 1998). The word is used both in mechanics and epidemiology and Hacking uses it as a metaphor for a force acting in a certain direction. For me, 'vector' is also important in its epidemiological sense of 'transmitter' (Hornby 2000). Some of the elements of migration, organised crime, and prostitution are 'transmitted' to human trafficking. Human trafficking has been integrated in various taxonomies and much of the research has focused on drawing boundaries and pointing out differences between problems. Human trafficking has been in turn divided, contrasted, and assimilated to migration, organised crime, prostitution, and human rights abuses in what I call a literature of vectoral transformation. This chapter will explore the implications of 'vectoral transformation' and will consider what limits that literature sets itself and what limits are set by the context from which concepts are borrowed and 'naturalised'.

The texts I shall consider in this chapter are not restricted either to the discipline of IR or more largely to academic literature. Research on trafficking cuts across academic work and the practitioners' interest in understanding the phenomenon they deal with. Most of the literature on trafficking is underpinned by the assumption that human trafficking is a phenomenon to be discovered, that its definition can capture and express its 'real nature'. While mobilising various theories in this search for the nature of trafficking, the literature on human trafficking also tries to grasp the 'real nature' of trafficked women. What kind of migrants, what kind of criminals or exactly what type of prostitutes are they? What category of human rights bearers could they be? Trafficked women need only a refinement of existing categories to be made sense of. Although the category of 'trafficked women' has undergone an explicit process of social construction, the same process is not acknowledged in relation to the other categories that it evokes and rests upon. There is no recognition that these are socially constructed categories and therefore debates about who is trafficked, what type of migrant, prostitute etc. they are, are not just technical, but deeply political.

The approach undertaken in this chapter starts from a different epistemological position than the one generally endorsed by the trafficking literature. Paraphrasing Laclau and Mouffe (Laclau and Mouffe 2001: xi), one could say that this literature partakes of the illusion of a non-discursively mediated access to things. Although I consider trafficking to be a discursive construction, it is neither an object of infinite representations nor solely a linguistic object. Following Michel Foucault, I understand discourse as including institutional practices. Discourse goes beyond the 'linguistic turn' and the emphasis on language as constitutive of reality. Language plays an important role in labelling people and creating categories of subjects; this role is only made possible under certain conditions. In Hacking's formulation, discourse is to be analysed not in terms of what it says but in terms of the conditions under which those sentences will have a definite truth value (2002: 79). Among the material conditions of discourses, Foucault lists institutions, economic and social processes, systems of norms, techniques, types of classification, modes of characterisation (2002: 49). Various representations of trafficking have been made thinkable by being embedded in specific institutional configurations, economic, social and political processes.

The literature on trafficking can be read as a nexus of specific problematisations, in Michel Foucault's terminology. Paul Rabinow has put in a nutshell Foucault's understanding of problematisations:

[A] problematization...does not mean representation of a preexistent object nor the creation through discourse of an object that did not exist. It is the ensemble of discursive and nondiscursive practices that make something enter into the play of true and false and constitute it as an object of knowledge... (Rabinow 2003: 18).

Through problematisation, the literature on human trafficking attempts to present the truth about human trafficking and solve the uncertainty of what trafficking is. While discourses on trafficking are made possible by existing institutional configurations and political

practices in relation to migration, organised crime, or prostitution, this chapter explores the role of discourses as representations. The various representations of the problem of trafficking will in turn be shaping the interventions to manage this problem. As discourses allow certain things to be said, thought and done and impede other things from being said, thought and done (Hunt 1994: 8), certain representations of trafficking enable particular tools and measures while impeding other understandings and projects. The representations of trafficking allow the enactment of a particular politics while excluding the prospects of different political actions.

'Problematization' is what makes possible the governmentality of trafficking. Something can be done about trafficking only if we know what trafficking is. The problematization of trafficking, through the various representations of the phenomenon, creates an object of knowledge that can be subsequently governed. For the purposes of this chapter, I have also used problematization as a methodological tool that allows a mixture of texts that have various institutional sources but share a common concern with what trafficking is.

In the various literatures that discuss the phenomenon, human trafficking appears embedded in a discursive structure of migration, organised crime and prostitution and where debates on human trafficking surface, they are still limited and framed in terms of the former terms. Migration, organised crime and prostitution are taken as the starting points in the analysis of trafficking. Problematization is therefore intrinsically related to vectoral transformation. By means of problematizing trafficking in these terms – this chapter argues – the trafficking literature vectors its object in directions already traced by knowledge accumulated in the fields of migration, organised crime or prostitution.

As my excerpt from the EU Treaty indicates, representations are not 'natural' constituents of trafficking, but are already framed in a discourse on security. Concerns with human trafficking are inseparable from the establishment of an area of security, freedom and justice and various EU documents, most recently the Hague Programme, have not failed to point out the connections (Council of the European Union 2004). Despite the conspicuous presence of security as an assumption in these documents,

security is mostly absent from the frameworks envisaged in the research on human trafficking. Its fleeting appearance in an OSCE document in 1999 has not led to any substantial engagement with the relation between security and human trafficking (OSCE 1999). The few texts that consider security and human trafficking have been restricted to security studies. Human rights activists and other state or non-state practitioners in the field of trafficking have eschewed the question of security. PhD theses or journal articles on trafficking often do not even mention 'security' as a concern.

This research starts therefore from the absence of security or what would rather be an absence in presence. It starts there not simply due to this author's positioning in the field of IR rather than other fields, but due to an assumption that, as absence in presence, security does unacknowledged work. Security assumptions are present in relation to the problem of trafficking, yet absent from most of the literature on trafficking. I am interested not in why there is an absence of security considerations, but in how this absence influences and limits what can be said and done about human trafficking. Security itself becomes one of the factors of vectoral transformation, despite its absence from the visible problematisations of trafficking. Migration, organised crime and prostitution are already vectored in a discourse of threats and/or risks and the representation of trafficking as a subcategory reproduces practices of security. The problematisation of trafficking is already shaped by previous strategies concerning migration, organised crime and prostitution. Although the question of how security works and what its effects are requires an answer which will be developed over two chapters (2 and 3), this chapter will consider the implications of a problematisation of trafficking in the absence of security.

The work of the absence is most interesting where an alternative discourse on trafficking is set in place. As the representation of trafficking as a human rights abuse attempts to impose an alternative discourse to that of migration, organised crime and prostitution and challenge the interventions that these linkages entail, the approach is seen to be invariably failing. While challenging the way migration or prostitution are dealt with and the effects that these interventions have upon victims of trafficking and other categories of people, this form of critical engagement does not tackle the meta-structuring

logic of security. The meta-structuring effects that security inscribes upon trafficking and the limitations it entails for a politics that attempts to challenge the dominant ways in which human trafficking is represented will be explored later on, particularly in Chapters 3 and 4. For the purposes of this chapter, however, I shall glean intimations of the problem from the proponents of the approach themselves. The human rights approach enters a field in which there are already 'legitimate' representations of what trafficking is. I shall argue that, despite its opposition to the visible representations of migration or prostitution, the humanitarian approach fails to conceptualise its relation to security.

Governmentality and the problematisation of human trafficking

The problematisation of human trafficking is part of a concern with governing and ordering society. 'Governmentality', the term coined by Foucault to express this concern with the ordering, administration and regulation of society is not a new term in IR. It has been used to understand different practices of security (Bigo 1996; Dillon 1995b; Huysmans 1998a), of regionalisation (Walters and Larner 2002), migration regimes (Huysmans 2004a; Lippert 1999), global liberal governance (Dillon 2004; Dillon and Reid 2001) or terrorism (Aradau and van Munster 2007 forthcoming). IR has been able to draw on a vast literature which has undertaken sociological analyses of governmental practices, from unemployment to the government of pregnancy, and which has employed and refined the categories and conceptual tools devised by Foucault. According to him,

[t]his word [government] must be allowed the very broad meaning which it had in the sixteenth century. 'Government' did not refer only to political structures or the management of states; rather it designates the way in which the conduct of individuals or states might be directed: the government of children, of souls, of communities, of families, of the sick. It did not cover only the legitimately constituted forms of political or economic subjection, but also modes of action, more or less considered, which were designed to act upon the possibilities of action of other

people. To govern, in this sense, is to structure the possible field of action of others (Foucault 1982: 221).

If government is concerned with shaping and directing the actions or the conduct of others, 'governmentality' refers to the political rationality or 'mentality' that has made this concern its own. To shape the field of action of others, it is important first to understand the problem that confronts them. It is in this sense that one can speak of the problematisation of trafficking as part of a larger governmental concern. Mitchell Dean and Barry Hindess have located four domains for a governmental analysis: the study of problematisations, of modes of reasoning, of technical aspects and the formation and shaping of identities (Dean and Hindess 1998a). Problematisations appear in definite institutional and social locales, at a specific time and place and reflect upon a task that is at hand. They imply contestation between various actors and competing speculative interpretations about what the task at hand is.

In this sense, problematisation can be thought as a form of representation. Representations form the object they depict and purport to tell the 'truth' about what is represented. They create a 'managed space in which some statements and depictions come to have greater value than others' (Campbell 1992: 6). While representation has become a cherished term in cultural studies to refer to mediatic and all sorts of spaces where personal experiences and other narratives can enter, problematisations function around the element of 'knowledge'.⁷ Problematisations create a managed space where knowledge plays an important role for the representation of trafficking. They are, therefore, more than a simple semiotic system of representation. Problematisations both foster and rely upon forms of knowledge and expertise. The problematisation of trafficking relies upon knowledge and expertise in various fields (migration, gender, organised crime, etc.), while simultaneously fostering a new field of knowledge, human trafficking.

Problematisation is close to Hacking's specific understanding of representation. Hacking has discussed representation in the context of natural sciences, thus making

⁷ On this largely accepted understanding of representation see Shapiro (Shapiro 1988).

knowledge one of the elements of representation. By representation, he means theories rather than specific everyday instances of representation. In an almost circular definition, representations are *complicated speculations which attempt to represent our world* (Ian Hacking 1983: 133). Problematisations involve speculation and theory, they depend upon expert knowledge. The problematisation of human trafficking involves theoretical representations which attempt to ground the truth about trafficking in knowledge. Problematising trafficking in terms of migration, organised crime or prostitution activates a theoretical apparatus and expertise already present in the academic fields which have tackled these issues. We shall see that human rights approaches to trafficking are underpinned by the knowledge of psychology rather than theories of human rights.

The knowledgeable discourses I consider here represent, and in this sense constitute human trafficking as an object of knowledge. They confer particular identities and agencies on different actors (the trafficked victim, the migrant, NGOs, police etc.) and make identifiable problems to be solved (the prevention of trafficking, of illegal migration) (cf. Dean and Hindess 1998b: 9). The problematisation of human trafficking creates a language and a regime of intelligibility (Rose 1999), which make trafficking amenable to intervention. A governmental approach makes explicit the emergence of human trafficking from various sources of knowledge and its dependence upon particular forms of knowledge and expertise.

As Miller and Rose have put it, '[g]overning a sphere requires that it can be represented, depicted in a way that both grasps its truth and re-presents it in a form in which it can enter the sphere of conscious political calculation' (Miller and Rose 1990: 82). Governing trafficking requires first the conceptualisation of the situation and the set of relations at work, as governing is only possible under a certain description. The problematisation of human trafficking involves competing attempts to depict the domain of trafficking in a way that grasps its real nature and thus represents it as a field for governmental intervention. Governmentality involves the representation of objects from reality as problematic, thereby attempting to re-order reality in terms of solvable problems. The goal of much of the literature on trafficking is to understand the 'real' nature of

trafficking, thereby being able to propose adequate solutions for dealing with this problem. The 'real' nature of trafficking entails the creation of a regime of truth about an object of knowledge.

The knowledge of the problem of trafficking is, however, not restricted to the knowledge of an object. It also needs to provide adequate knowledge about the subjects of governmental interventions: traffickers and trafficked people, migrants or the poor more generally as vulnerable categories, as well as all other categories which potential trafficked persons can encounter (clients, police, etc.). Knowledge about the people who are part of the phenomenon and their relations can contribute to a better overall knowledge about trafficking as well as to better ways of shaping their conduct.

Human trafficking is thus formulated as a problem for the authorities who need to devise ways to deal with it. Trafficking will be approached differently depending on whether it is considered a problem of illegal migration, of prostitution or organised crime. Different policies will be developed and trafficked women will be dealt with differently, depending on whether they are considered illegal migrants, prostitutes, victims of trickery, of ignorance or bearers of human rights. Representation is simultaneously a form of intervention, both by conferring specific identities to categories of people and by limiting and steering what can be done about these people. Interventions are inseparable from representations of the problem to be governed.

The specificity of governmentality, according to Hacking, lies in this complex interweaving of procedures for representing and intervening (1983). The complexity of the relation between representation and intervention makes impossible the distinction between knowledge that would provide insights into a phenomenon and practice-oriented knowledge that is conceptualised in relation to a goal of intervention. Inasmuch as the literature on human trafficking engages in a contestation of what trafficking is and attempts to stabilise the 'truth' about its meaning, it is governmental, a combination of representation and intervention. The concept of government in relation to the trafficking literature erases the difference between academic and policy-making literature as in this

case all authors are concerned with strategically influencing actions or the 'conduct of conduct' (Foucault 1991).

If 'acts of governing actually constitute and make up the zones on which they act and the entities upon which they act' (Rose 2001a: 145), the concept of governing raises the issue of the responsibility of writing. As governmentality does away with the idea of pre-existing objects that can be adequately described and known, the knowledge that is formed under the imperative of the problem of trafficking is complicit in the power relations that govern trafficking. The last chapter shall return to this problem of the responsibility of writing and the possibilities of a non-governmental theory. Human trafficking therefore emerges as an object of discourse and knowledge out of these attempts to establish a veridical discourse about its nature.

Nevertheless, I do not want to imply that the literature considered here is unaware of the political game it is involved in or brings it to a common denominator of deliberate ignorance of the political stakes. Some of the texts explicitly acknowledge their attempt to enter the political arena and change things. Most of the literature, whether academic or practice-oriented, is written with the purpose of intervention and transformation of existing regimes to govern human trafficking.

My incursion into the trafficking literature will be 'steered' by two questions. The first question is: how is human trafficking formulated as a problem? I shall look at how trafficking is represented as an object to be known, analysed, and evaluated. In representing human trafficking, this literature claims to depict and tell the truth about what is represented. Trafficking needs to be conceptualised in a particular way and it is by means of this representation that who and what is trafficked are shaped in a manageable form. As problematisation is inseparable from intervention, the follow-up question is: how do these representations also intervene? The literature on trafficking is explicitly interventionist and could bear the motto of 'a plea for action' (von Struensee 2000). However, this plea is addressed to somebody else, mainly the various authorities and much of the literature does not perceive itself as intervening by means of the representations it puts forth. The literature on human trafficking needs to reflect on the

'governmental' work it does and on the 'governmental' space upon which it inscribes human trafficking, a space already structured and categorised in security terms. By inserting human trafficking in a space already shaped by discourses and institutional practices, the literature on trafficking is already subjected to the closure that this very space has already enacted.

Human trafficking as a problem of migration

The European Council is determined to tackle at its source illegal immigration, especially by combating those who engage in trafficking in human beings and economic exploitation of migrants' (European Council 1999).

Human trafficking and migration are seen here as inseparable realities. Van Impe has defined human trafficking as an 'epiphenomenon within the continuum of the migration cycle' (Van Impe 2000: 115). According to him, trafficking in women 'has to be seen in the larger context of illegal migration flows and analysed against the backdrop of worldwide economic and political change' (Van Impe 2000: 123). For many other authors as for Van Impe, trafficking is a subcategory of migration or rather illegal migration. Similarly, for the IOM, trafficking constitutes the antithesis of 'humane and orderly migration' that the organisation upholds (e.g. Anderson and O'Connell Davidson 2003).

The commitment to advancing the understanding of migration has driven the IOM research in relation to trafficking. Very early on, the IOM was involved in defining trafficking. In its initial definitions, it did not differentiate trafficking from smuggling, which involved the crossing of borders with the help of an intermediary. Trafficking was defined as occurring when 'a migrant is illicitly engaged (recruited, kidnapped, sold, etc.) and/or moved, either within national or across international borders; [or when] intermediaries (traffickers) during any part of this process obtain economic or other profit by means of deception, coercion and/or other forms of exploitation under conditions that violate the fundamental human rights of migrants' (IOM 1999). The addition of trafficking 'within

national borders' to cross-border forms of trafficking has not become politically relevant; the IOM projects on counter-trafficking/smuggling have been subsumed under the fight of illegal migration. Trafficking, just like other forms of migration, is part of an overall concern with reducing illegal migration.

The link between trafficking and migration has mostly gone unchallenged. Certain authors make explicit this connection by keeping the signifier 'migrant' or 'migration' in the denomination of trafficking. Phil Williams has argued that

illegal migrant trafficking is a large and growing industry, facilitated by the ease of travel, corruption or laxity of immigration officials in a significant number of countries, and driven by the asymmetry between the number of people wanting to migrate (for whatever reason) and the restrictions imposed by governments on the number of immigrants legally allowed to enter their countries (P. Williams 1999: 2).

Almost all definitions of trafficking include the element of 'movement across borders'. Even when authors note the existence of intra-border trafficking, it is considered a rather sporadic form of trafficking, which has not challenged the dominant understanding of trafficking as an international problem of managing migration (Jordan 2002).

Although some scholars believe that the conceptual and definitional uncertainties concerning the issue of trafficking in human beings challenge rather than strengthen the traditional migration theories by blurring the boundaries between legality and illegality and between forced and voluntary movements (Apap et al. 2002: 23), these processes of subcategorisation require just a refinement of migration theories to accommodate the novel variant of trafficking. Most of the literature is rather optimistic about integrating trafficking in categories of migration and focuses on the refinement or further specification of categories.

When illegal migration is considered, Salt and Stein, for example, prefer to describe trafficked migrants as irregular/undocumented rather than illegal because at

various stages they might drift in and out of a legal status (Salt and Stein 1997). Victims of trafficking do not always enter illegally the territory of another country as they might have obtained tourist visas, temporary work permits or legal status through marriage. Or they might enter illegally and obtain legal status at a later stage. Koser has noted that the term 'illegal', when applied to migration, has been used to cover a variety of situations normally concerning conditions of entry, residence and employment (Koser 1998: 186). Other authors have also noted that the very notion of illegal migration covers a wide spectrum on which every sovereign state decides (Apap et al. 2002). The task of the literature is to note, monitor these various usages and integrate them within existing theories.

This task is more difficult when it comes to forms of forced or voluntary movements. Is trafficking forced or voluntary migration? The methods of recruitment can occasionally involve kidnapping, yet research has pointed out the wilful undertaking of migration projects by trafficked women. The difference between forced and voluntary migration becomes even more complicated when one considers structural causes. Do women who choose to migrate to escape poverty make a voluntary choice? Moreover, if women start their journey by choice, elements of force and coercion can appear at other stages in the process of trafficking. As Koser has pointed out in the case of illegal migration, coercion covers conditions of entry, residence and employment. Even if women are not forced to leave their country of origin, they are often forced to do sex work instead of the jobs that had been advertised. The solution has been to loosen the meaning of force to cover various forms of coercion, from physical coercion to the use of deceit.

Within the migration framework, the understanding of human trafficking is driven by a process of categorisation. Categories of illegal, irregular, undocumented or simply deceived migrants overlap and are refined to adequately express the reality of trafficking. There is no awareness of the fact that these categories are socially constructed, artefacts of legislation. The debate concerning the conceptual distinction between smuggling and trafficking is based on such attempts at categorisation. Apap et al. (2002: 18) suggest that trafficking and smuggling should be seen as part of a continuum. Smuggling is clearly concerned with the manner in which a person enters the country and with the involvement

of a 'facilitator' of illegal entry. Trafficking is supplemented by a concern with the migrants' working conditions and treatment after they enter the country (Apap et al. 2000). Unlike Apap et al., Salt is in favour of clearly differentiating trafficking from smuggling by emphasising the exploitative element of trafficking (Salt 2000).

The concept of exploitation can represent an awkward intruder in the debate on the distinction between trafficking and smuggling. Migrant labourers, and especially illegal migrant labourers, frequently find themselves forced into exploitative working conditions. In this sense, they are just like the victims of trafficking. Yet, migrant labourers have not necessarily been tricked or deceived during the migration process. Trafficking, on the contrary, is taken to refer to the transportation of people within countries or across international borders using force, trickery or the abuse of power.

The conceptual distinction between smuggling and trafficking leads Wijers and van Doornick to conclude that while smuggling constitutes an offence against the state, in the case of trafficking, human rights violations give rise to certain obligations on the part of the state under international human rights law to protect victims (2002: 7). In such an approach, any movement across borders which is not sanctioned by the receiving state is problematic. 'Exploitation' could thus subvert the clear distinctions that definitions of illegal or irregular migration reproduce between state-sanctioned cross-border movement and other forms of movement. Hence, considerations of exploitation are to be limited to the framework of trafficking, once movement and other forms of deceit have been made explicit.

Some scholars have challenged the understanding of trafficking as a specific form of migration which combines different forms of constraint and have put forward the idea that trafficking is an 'unintended consequence' of restrictive migration policies and of the efforts to curb illegal entry and illegal employment of migrants. Koser has pointed out that the activities of smugglers and traffickers have flourished in the context of tightening political restrictions (Koser 1998). Given that legal channels of migration are more and more reduced or restricted to specific categories such as highly skilled migrants, other types of migrants have recourse to mediating parties. Andrijasevic has also remarked that

EU visa regimes and restrictive immigration regulation work in favour of the third party organisers of trafficking as a supplementary migration system or an alternative to the EU system (Andrijasevic 2003).

This rendering of the phenomenon of trafficking blurs the image of the trafficker as the evil foreigner who takes advantage of the liberal policies of the EU Member States. Trafficking becomes more similar to assisted migration and research has shown that the business of trafficking is often dependent on the reputation that traffickers establish as well as their success rates (Koser 1998). While recruitment by a trafficker has been a definitional characteristic of trafficking, this research likens the trafficker to a service provider. By challenging both the description of trafficking and of traffickers, these approaches equally question migration policies. Yet, in formulating 'accusations' against restrictive migration policies, they do not engage with the very limitations that do not allow such normative claims. Without engaging with the security construction of migration, it is impossible to understand how such claims are limited in their effects.

The literature on trafficking which has taken the migration lens has problematised trafficking without being able to engage in the 'problematisation of the problematisation' (Campbell 1998b). While debating categories of legality/illegality, forced/voluntary migration, this literature has not questioned what the category of illegal migration allows to be done about trafficking and what it excludes. It has assumed that illegal migration is a problem that needs to be fought against, thus indirectly fighting trafficking. The problematisation of trafficking concurs largely with the existent ways of dealing with illegal migration.

Moreover, this approach takes as given the security concerns that inform the representations of illegal migration and the interventions to manage the phenomenon. Anti-trafficking policies are just a subcategory of those targeting illegal migrants. Van Impe could therefore argue in favour of preventive measures for human trafficking in order to obstruct 'the considerable misuse of various channels of migration' (2000: 121). Vectoring human trafficking through migration leads to the interpretation of trafficking as illegal migration with a surplus, i.e. the exploitative trafficker. While this representation of the

trafficker as the evil foreigner makes possible repressive policies targeted at him/her, 'vectoring' has effects on trafficked and non-trafficked migrants that are ignored in this literature.

The categorisation of the object of trafficking constitutes categorised identities for the subjects of trafficking. The literature on trafficking intervenes at two levels: at one level by explicitly promoting policies to tackle the phenomenon of trafficking and at another level by fostering the category of trafficked women. These two types of interventions are intimately linked, as the categorisation of women limits the policies that are devised to deal with them. Whether women are perceived as rational illegal migrants, powerless deceived victims, illegal prostitutes, irregular workers or, most recently, trafficking survivors influences the policies adopted by authorities. Specific categorisations are governed by specific policies.

This literature does not reflect on how it takes up and embodies assumptions about illegal migration or how it reinforces these assumptions by the problematisation of trafficking in terms of illegal migration. Even when this literature reaches the conclusion that categories of migration, trafficking and smuggling are actually blurred in practice (Apap et al. 2002: 17), it does not consider that these are theoretical constructs and not natural givens. Likewise, when migration policies are seen as a cause of trafficking, these policies are presented as a case of misguided or cynical calculations by politicians. Interestingly, despite the lack of attention to how other categories have been created and how challenging those can be subject to limitation, the very category of 'trafficked persons/women' appears as an intervention and artificial creation.

Human trafficking as a problem of organised crime

The major threat of organised crime for society is that criminal networks develop a strong economic and 'political' structure in society through legitimate ways. The underlying motive for such criminal penetration is the opportunity to make a profit quickly with little risk, unhindered by rules

or just making use of weak rules, circumstances and 'cover techniques' (European Commission 2001a).

The organised crime framework is parallel to the migration one in terms of the arguments it puts forth and similar strategies to create a niche for human trafficking as a specific form of organised crime. As with migration, the link between trafficking and organised crime raises definitional problems and identification problems. What is organised crime and who are the criminal organisations which have established themselves as 'travel agents' for illegal migrants? Defining what organised crime is has proved an extremely difficult task because of the multi-faceted nature of criminal organisations (Apap et al. 2002). In relation to trafficking, it is necessary 'to identify the new forms of criminal organisations that seem to be active in this sector... We should determine whether the subjects in question are recycled from other criminal experiences or whether we are dealing with new organisations' (Pomodoro 2001: 241).

The answers provided in the literature on the proliferation and categories of criminal organisations are as varied as they are contradictory. In Phil Williams' interpretation, some organisations are target-specific, while other well-established criminal groups have simply diversified their activities into one more profitable area of activity (P. Williams 1999). Trafficking is either the unique profit-making activity of an organisation or an addition to other criminal activities such as drug- or arms-trafficking. For Shannon (1999), criminal organisations frequently conduct trafficking in conjunction with other illicit ventures (Shannon 1999). Other authors such as Bertone see sex trafficking as a 'large scale, highly organised and profitable international business venture transcending state borders and nationalities of women who supply the commodity of sex and of men who demand it' (Bertone 2000: 7). Organised crime is represented as an insidious type of threat, penetrating the state and destabilising its functions, while at the same time surpassing it. Unlike migration, which is a threat that the state can manage by appropriate strategies that promote legal migration and deter illegal forms, organised crime is experienced as a very serious challenge.

The literature on organised crime and trafficking warns against some of the conclusions which have been reached in the migration literature. One should beware of the portrayal of organised crime as 'relatively harmless, a form of borderline entrepreneurship that feeds on opportunities provided by various forms of prohibition' (P. Williams 1999: 1). Human trafficking cannot be a benign form of business venture when it is linked with organised crime. Organised crime is most often perceived as external, involving 'alien' actors who subvert otherwise orderly, law-abiding, subjects whether these be bureaucracies, corporations, markets or the internal security of the polis itself (Edwards and Gill 2002: 253).

Despite this disagreement, the debate in the literature on trafficking and organised crime focuses, just like with migration, on creating categories and drawing boundaries. Is human trafficking (partly) synonymous with large-scale organised crime? Research often contests the hypothesis of large-scale organised crime which is supposedly at the heart of the trafficking phenomenon. Vocks and Nijboer see trafficking as 'small networks of recruiters and exploiters, who knew each other' (Vocks and Nijboer 2000: 385). The consequence they point out is that, through such connections, exploiters can make very real threats to victims and their families. By expanding the conceptualisation of organised crime, these authors expand simultaneously the scope of what human trafficking is and entrench the link between trafficking and organised crime. In a trial at the Galati Court of Justice, Romania, the judge decided that the eight persons involved in transporting and exploiting women for prostitution in Spain did not constitute an organised group because there was no hierarchy and no precise tasks for each of the members.⁸ Such a decision would most likely be considered inappropriate by Vocks and Nijboer.

Some authors have tried to replace the 'bureaucratic' model of organised criminal activity implicit in Mafia-type analyses with a more complex understanding of organised criminality as being developed and sustained... through *networks* rather than omnipotent *criminal families* or imperatively-coordinated *cartels* (Taylor and Jamieson 1999: 259). If the 'Mafia shorthand' is thought to be no longer adequate for the description of

⁸ Legal archive for case R/1418/05, consulted in January 2006.

transnational organised crime, the concept as such is not questioned. Just like migration, organised crime is considered a natural given whose nature needs to be adequately grasped. According to Finkenauer, human trafficking seems to fall more into the 'crime that is organised' category than it does into 'true' organised crime (Finkenauer 2001: 172). The IOM has also described a mostly often direct relationship between the women being trafficked and their traffickers. Interviews suggested that traffickers are often young criminals, attracted by the possibility of earning easy money even at the cost of profiting from girls/women that were friends, school mates or neighbours in their home town or village' (quoted in Finkenauer 2001: 174). The literature can, however, accommodate them by creating new categories of organised crime such as middlemen networks.

Kyle and Koslowski have pointed out that some migrant smugglers are more akin to the historical 'free traders' of an earlier era (Kyle and Koslowski 2001: 48). They denounce existing studies of human smuggling for using a particularly a-historical concept of organised crime that allows no conceptual space for analysing the organisational sources of transnational human smuggling. What they call for is actually an enriched and expanded concept of 'organised crime' able to accommodate the strategies of human smuggling/trafficking. Rather than the Mafia-type organisation which has been stereotypically linked with organised crime, these authors claim a flexible concept which will accommodate various types of structures. Such a concept can also ultimately accommodate individual traffickers. As in the case of migration, these approaches do not question how organised crime has become a threat of such proportions for the EU. Just like illegal migration, organised crime is taken for granted as a reality among many where specific policies are at work. The main concern of these authors is to distinguish trafficking as another 'reality', to show how it is simultaneously different and related to organised crime.

More than simply a variation of organised crime, the essence of human trafficking is often seen as that of crime. As Donna Hughes has put it, without recruiters, traffickers and pimps, trafficking in women would not exist (Hughes 2000: 10). Human trafficking can only exist and be explained in relation to crime. In this approach, organised crime is no

more of a theoretical construct than illegal migration was for the migration literature. What remains unquestioned is the intervening power of its categorisations and the effects these entail upon those who are categorised. By considering organised crime as a natural given to be adequately grasped and problematising human trafficking in terms of organised crime, this literature implicitly takes up the construction of these problems as threats and the modes of intervention associated with it.

This does not mean that critical engagement with the description of organised crime is lacking. Wijers and van Doorninck have noted that a criminal approach focuses on individual victims and perpetrators, leaving aside structural causes (Wijers and van Doorninck 2002). Moreover, they warn that a criminal approach can expose women to secondary victimisation, risks of retaliation from the perpetrators, harassment by the authorities in the home country or stigmatising exposure to the home community. However, these critiques are unable to replace a general construction of organised crime as a threat to society by individual concerns of clearly limited groups. Organised crime is already located in a securitised discourse which vectors human trafficking and establishes a logic of suspicion for trafficked women. Trafficked women are continually suspected of not being genuine victims, of taking advantage of the system or, even worse, of being involved themselves in these networks. The cases of victims of trafficking who later on become recruiters themselves are used as examples of the ubiquity of networks and their power of infiltration.

Human trafficking as a problem of prostitution

The nightmare of human trafficking is upon us...it is a stain on our culture. [...] We see it in the plate glass windows of Antwerp and Hamburg; it inundates the centres and pavements of Amsterdam, Paris, Athens, and Rome; it is the product for sale in the markets of London and Madrid (Diamantopoulos 2001)...

Human trafficking has also provided a new locale for debates on prostitution. The categorisation of trafficking as prostitution is a historical inheritance, which has not been displaced by concerns with other forms of forced labour such as domestic work. The 1949 UN Convention for the Suppression of Traffic in Persons and the Exploitation of the Prostitution of Others states that 'prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of human persons and endanger the welfare of the individual, the family and the community' (UN 1949). The resurgence of trafficking in the 1990s has entailed a fierce debate around the Protocol and its abolitionist approach to prostitution as a social evil.

The 2001 UN Anti-Trafficking Protocol, some feminist activists have argued, has not significantly departed from the idea of prostitution as a social evil (Doezema 2002). Yet, feminists themselves have been split on the issue of prostitution and the question of agency: can prostitution be freely chosen? Feminist lobbying on what trafficking is has been quite fierce, with different groups promoting opposite definitions of trafficking. Trafficking has found a niche within the category of prostitution, leading to the subsequent task of deciding what subcategory of prostitution trafficking is and what distinguishes the latter from the former. The debates have mirrored the debates on prostitution led by the Coalition Against Trafficking in Women (CATW) and the Global Alliance Against Trafficking in Women (GAATW). Put in a nutshell, the two positions are prostitution as sexual slavery versus prostitution as labour.

One side, represented by the CATW, has argued that 'trafficking' should include all forms of recruitment and transportation for prostitution, regardless of whether any force or deception took place. This approach is driven by a belief that all prostitution is abusive of women. In the words of its founder, Kathleen Barry, prostitution cannot be 'a right because, as a violation, it usurps and negates prostitute women's already established right to human dignity, bodily integrity and physical and mental well-being and it constitutes a severe condition of sex discrimination' (Barry 1995).

As prostitution is deemed to be a degradation that no normal woman would consider, the question of voluntary or forced prostitution becomes irrelevant. Prostitution

can only be the result of some sort of coercion and violence, with violence understood along a continuum from direct physical violence to violence inscribed in the social and economic structures. This position has been mostly criticised for denying any agency and self-determination to those women who voluntarily engage in prostitution. According to Doezenia, it was based on the assumption that a woman's consent to undertake sex work is meaningless, that prostitution can never be a matter of personal choice and a form of work (Doezenia 2002: 21).

The other position, held by GAATW, makes the distinction between 'trafficking in women' as 'forced prostitution' on the one hand and 'voluntary prostitution' on the other. GAATW has taken up a distinction developed in the mid eighties by the prostitutes' rights movement (Doezenia 1998: 37). Trafficking is reprehensible only inasmuch as it is linked with forced prostitution and abuse of human rights. Since the re-emergence of trafficking in women on the political agenda and the increase in measures targeting all sex workers, this position has met with renewed criticism by sex activists. Anti-trafficking measures, it was argued, did little for the protection of women's rights and could have negative effects for the rights of sex workers. In their comment on the UN Anti-Trafficking Protocol, the Network of Sex Work Projects (NSWP) has argued that

[h]istorically, anti-trafficking measures have been more concerned with protecting women's 'purity' than with ensuring the human rights of those in the sex industry. This approach limits the protection afforded by these instruments to those who can prove that they did not consent to work in the sex industry. It also ignores the abusive conditions within the sex industry, often facilitated by national law that place (migrant) sex workers outside of the range of rights granted to others as citizens and workers (NSWP 1999).

NSWP and other organisations for sex workers' rights (e.g. the English Collective of Prostitutes and Legal Action for Women UK) have been at the forefront of this critique of

equating 'trafficking in women' with 'forced prostitution' and have argued that the fight against forced prostitution is a fight against prostitution *tout court* as long as the rights of prostitutes are not protected. The condemnation of forced prostitution has led to a lack of interest in the rights of 'voluntary' prostitutes. Doezema and Wijers warn against the definition of trafficking as forced prostitution, as it supports the distinction between 'native' and immigrant prostitutes as 'voluntary' and respectively 'forced'. This dichotomy also implies a further one between guilty and innocent prostitutes (Doezema 1998: 42). Doezema has argued that the innocence of the victim determines on which side of the dichotomy she will fall, perpetuating an understanding of prostitution as evil and abnormal.

Reports on trafficking as 'forced prostitution' emphasise either the deceit, the fact that women did not choose to be prostitutes, or 'poverty as force' (Doezema 1998). These are strategies of making innocent victims eligible for human rights protection. Turned into innocent passive victims, trafficked women are to be protected at the expense of 'dirty whores' who are to be policed and punished. Doezema's discontent regards the denial of the prostitutes' human rights and the false divisions representations of trafficking create among sex workers. Alison Murray (1998) has noted that the 'voluntary' prostitute is generally associated with the Western sex worker endowed with agency, while the sex worker from a developing country is considered incapable of making this choice, being either easily deceived or deterministically influenced by poverty.

This image of the passive victim incapable of self-determination has been reinforced by reactivating the myth of white slavery. Doezema has shown how the prostitution approach to present day trafficking has inherited many of the presuppositions of white slavery (Doezema 2000). At the turn of the twentieth century, 'white slavery' caused a veritable moral panic about the sexual enslavement of young virgins (Irwin 1996). Doezema has argued that, while the myth of 'trafficking in women'/'white slavery' is about protecting women, it has not displaced the underlying moral concern with the control of 'loose women'. The 'loose women' that Doezema has in mind differ very little from Judith Walkowitz's Victorian prostitute (Walkowitz 1980). 'An object of fascination and disgust, the prostitute was ingrained in public consciousness as a highly visible

symbol of the social dislocation attendant upon a new industrial era' (Walkowitz 1980: 32).

Other feminists and sex activists have tried to divorce trafficking from prostitution. Andrijasevic has put forth the hypothesis that prostitution is considered by trafficked women simply as a migratory project. For her interviewees, prostitution was simply a means to an end, a temporary solution they favoured (Andrijasevic 2003). She attempts to loosen both the necessary link between the trafficking subcategory and prostitution as well as that between trafficking and migration. Although the second choice is normative rather than empirical, based on the belief that disentangling trafficking from migration would lead to better protection of the trafficked women's human rights, such choices take for granted the presuppositions concerning migration and prostitution. As identifying victims of trafficking with any of these categories has harmful effects, it appears important to disentangle trafficking from these other categories. Yet, such a critique is unlikely to have much effect as there are no other alternative categories which these researchers put forth to replace the empirical ones of prostitution and migration.

The sex activists' position has shifted the discourse of rights from the category of trafficked women to that of prostitutes. While the credo of anti-trafficking NGOs has been that trafficked women must not be subjected to the same treatment as undocumented migrants (Jordan 2002: 2002), sex activists argue that prostitutes should not be submitted to any human rights abuses. Faced with the continual threat of deportation of (illegal) foreign prostitutes, sex activists have argued that trafficking is not prostitution, but forced or bonded labour, in the domestic, sex or any other industry (Adams 2003: 138). Moreover, human rights abuses should be considered independently of whether those who suffer them have been trafficked or not.

The writings of Doezema, Wijers and other feminists associated with this position try to engage in the 'problematization of problematization'. They analyse trafficking in terms of the influences it entails on sex workers, migrants, asylum seekers, etc. and do not measure it against some standard of 'reality'. For sex activists, anti-trafficking measures have so far incurred more harm than good to sex workers. Repeated raidings by the police have led to detention of all foreign prostitutes under the suspicion of having

been trafficked. For instance, sex activists have condemned the police and immigration raids in Soho that had held 60 migrant women under the suspicion of having been trafficked (International Prostitutes Collective 2001). The question 'what is human trafficking?' has been mobilised by sex workers' movements for critical purposes. If answering this question can make possible the deployment of technologies of government to govern trafficking, it can also activate a critique of 'how not to be governed thus' (Foucault 1997). The 'problematization of the problematization' of anti-trafficking measures through the effects that certain descriptions of trafficking have upon sex workers encounters the limitation of different subjective positions. Sex workers on the one hand, victims of trafficking on the other. Sex workers mobilise specific lived experiences to buttress their own narrative. NGOs and the police use other lived experiences for their narrative. Subjective positions and lived experiences are mobilised to make apparent the dangerous effects of anti-trafficking measures either for sex workers or for victims of trafficking.

The subjective positions of sex workers and victims of trafficking become incompatible in a discourse of security. The police are dangerous for sex workers, anti-trafficking measures have dangerous effects. What is important at this point is to see that the problematization of the problematization of trafficking is done in terms of threat or danger. My critique here is not simply that these authors overlook threat construction and the representations which structure the field in which they consider trafficking, as they invoke a certain configuration of threat. What is overlooked is how threat construction meta-structures the problematization of trafficking, how it mobilises certain institutions and specific expertise. The displacement of categories that activists favour remains ineffective, as they are not able to mobilise similar expertise and they do not question the 'regime of truth' in which these categories function. Moreover, without the possibility of making sense of how the lived experience of victims of trafficking is mobilised in anti-trafficking discourses, their own problematization is unable to sustain a project of 'how not to be governed thus' (Foucault 1997). The question of multiple lived experiences, different or competing subjective positions and incompatibility of claims will be tackled in more detail

in Chapter 5.

Human trafficking as a problem of human rights abuse

Imagine if victims of rape or torture could only get medical attention if they agreed to cooperate with the police in persecuting their abusers (Pearson 2002: 56)?

Although the humanitarian approach to trafficking overlaps considerably with much of the feminist literature on prostitution and trafficking, as the most consensual of the strategies of re-describing trafficking, it both evinces the political stakes involved in representation and the limits that attempts at redefinition encounter. Despite the consensus that would seem to speak of the success of a human rights approach, this approach is seen by its own proponents as invariably failing. What appears as a failure here is the impossibility of human rights to dispense with the boundary, with the limit. While other representations of trafficking attempt to shift limits, displace categories and re-configure them differently (e.g. women as migrants, exploited prostitutes, etc.), human rights nourish an imaginary of representation without limits. This limitless representation is 'humanity', which is universalised through suffering. The strategies for suspending limits and their failure will be discussed in-depth in Chapter 4. For the moment, I am interested in how human rights activists and academics think rights as a strategy and how they assess the failures of the approach.

Vectoring trafficking through representations of human rights violations is a politically explicit strategy. Alternative representations of trafficking as human rights violations are not based on theoretical refinements but on what can be called an emotional pedagogy. While all the approaches aim to naturalise the right definition of trafficking, the humanitarian approach is concerned with instilling the 'right' way to feel about the group of trafficking women. To promote understanding and sympathy for their situation, these advocates have focused on personal stories and psychological explanations of the pain and suffering trafficking causes. The main purpose of these

accounts is to promote the identification with victims of trafficking in a way that crosses divisions preserved by other approaches. This literature is no longer concerned with the specificity of trafficking as a form of migration, organised crime or prostitution, but with the commonality of potential suffering.

The commonality of suffering as the commonality of humanity suspends the need for an engagement with other categories. As a symbol of their humanitarian approach, the OSCE has used the image of a fingerprint inscribed with the Declaration of Human Rights (Pallwein-Prettner 2004):



Ironically, zooming out the image does not make the Declaration of Rights more readable. Rights remain mere scribbles on the body of the suffering humanity. As a subject of rights, humanity already appears as an impossible subject. Chapters 3 and 4 will explore this impossibility of constituting trafficking women as the concrete embodiment of suffering humanity.

The human rights approach tries to use the mobilising potential of sentimentality and emotions to efface divisions by presenting a one-dimensional image of the trafficking victim as a suffering individual. While being aware that categorisations entail effects on trafficked women, the humanitarian approach does not challenge the existing categories of illegal migrants, criminals and prostitutes, but creates a different category of human rights bearers or trafficking survivors. This new category is supposed to transcend all previous categories.

The humanitarian approach is therefore harnessed to re-structuring social relations in the sphere of trafficking. It envisages specific interventions, different from the repressive and preventive strategies embraced especially by those concerned with migration and organised crime. It has a broad critical span, targeting at the same time constructions of human trafficking as a form of illegal migration, organised crime or prostitution. Despite the emphasis on the one-dimensional victim of trafficking, the human rights approach is multi-faceted in terms of both representations and interventions. There is no consensus on what human rights mean for victims of trafficking, as there is no consensus on what protection means either.

For von Struensee, when women are trafficked and sexually exploited, they are denied the 'most basic human rights, and in the worst case,... their right to life, as prostitution and sexual exploitation have devastating health and quality-of-life effects on its victims' (von Struensee 2000: 389). Another representation of human rights violations rests upon the rights of women to control their body, life, work, and especially to migrate, to decide for themselves whether they want or not to work in prostitution, to be free from coercion and violence (Wijers 1999: 246). Whichever position is embraced, there is an overwhelming feeling in the literature that the humanitarian approach invariably fails.

In order to account for this failure, Deimleiter finds startling 'the apparent overall lack of political will... to protect victimised women' (Deimleiter 2001: 269). At times, the literature on trafficking points out tensions between different representations. 'Though purporting to combat trafficking, such measures rather aim at protecting the state against (illegal) migrants than at protecting women against violence and abuse, thus serving the interests of the state rather than those of the women' (Wijers and van Doorninck 2002: 200). The strategy favoured is one of responsabilisation of political elites: instead of being concerned about stopping illegal migrants, Western states should be rather disturbed by the victimisation and sacrifices such policies cause (Deimleiter 2001: 265). Authorities need to be educated on the rights and needs of trafficked persons (Jordan 2002: 29). The work that human rights advocates are supposed to undertake is that of gathering stories

about the fate of victims of trafficking due to governmental policies, i.e. stories about returnees who are harmed or re-trafficked as a result of summary deportations.

The solution that human rights advocates privilege is to shift the focus from seeing trafficked persons as a category of migrants or prostitutes to 'understanding them as people bearing human rights' (Jordan 2002: 30). The humanitarian mode of intervention acts as a strategy of identification/dis-identification. Trafficked women are dis-identified from categories of migrants, criminals or prostitutes by the emphasis on suffering. Therefore, women who are trafficked into prostitution should not be deprived of their rights on grounds that they are undocumented migrants. Yet, these rights are only the right of the victim, an identification achieved through a mode of suffering and a feeling of pain.

The problem with the dis-identification strategy is that it rests on an illusory critique. It rests on a process of re-identification that displaces the universality of humanity. Trafficked women are not embodiments of common humanity, but particular victims. By insisting that trafficked women should not be likened to illegal migrants or prostitutes, the critique does not displace all the other categories and their social construction. The category of human rights bearers does not dispute the previous categories, it only qualifies them. Trafficked women as illegal migrants or prostitutes who have been victimised are entitled to human rights protection. An argument has been put forth that special benefits for women in forced prostitution can act as an incentive to other women to illegitimately claim this status (Home Office 2006). The logic of suspicion that hovers over migrants that they would illegitimately take advantage of any benefits designed for victims of trafficking can only be accounted for in the specific construction of migrants as conniving and dangerous others.

The failure of the human rights approach to displace existing categories raises questions about the possibilities of an alternative discourse. The conundrum of 'half-hearted protection' (Pearson 2002) that activists and scholars have found disquieting can be understood by contextualising trafficking, placing it in a field in which its existence is shaped by a representations of threat and specific modes of intervention.

Human trafficking and the absent problematisation of security

Trafficking in human beings is not only an episodic phenomenon, affecting a few individuals, but of structural nature with extensive implications on the social, economic and organisational fabric of our societies. [...] The Member States of the European Union and the candidate countries are much affected by these *scourges to society* (European Commission 2002b/emphasis mine).

This chapter has shown that human trafficking comes into existence as a social concept by being derived from migration, organised crime, prostitution and forms of human rights abuses. Paraphrasing Foucault, one could say that human trafficking exists inasmuch as it establishes relations of resemblance, proximity, distance, difference, transformation and relation to other objects (Foucault 2002). Human trafficking is constructed as a series of variations on illegal migration, organised crime, prostitution, and human rights abuses.

Concerned with providing a better representation of the reality of trafficking, this literature often engages in a 'politics of representation/intervention' without paying sufficient attention to the political effects of social construction, to how categorisations and vectored categorisations of trafficking do governmental work. Human trafficking as a problem and trafficked women as a specific category can be made governable through vectored categorisation. This literature enters the field of relations of power/knowledge and engages in the politics of representation of human trafficking, without being sufficiently reflexive about how descriptions work within an already structured context. Edwards and Gill have suggested that any alternative strategy with respect to transnational organised crime needs to look at how 'the problem' is narrated and 'how this in turn selects certain strategies of control and their concomitant operational instruments, whilst deselecting others, and then how it organises the interpretation and appraisal of their effects...' (Edwards and Gill 2002: 247).

Their suggestion is especially interesting as human trafficking does not emerge in a void, but in a political field where migration, organised crime and prostitution are already

'narrated' and modes of intervention selected. The vectoring has been already vectored in the field in which trafficking emerges and which is characterised by the securitisation of illegal migration, organised crime as well as certain aspects of prostitution. The literature on trafficking which analyses it at the intersection with migration, organised crime and prostitution has been inattentive to the representation of threat that structures the field in which their discourse is located. Research on trafficking rarely mentions security. Protection appears as a puzzle of who deserves to be protected: individuals or the state.

I am interested in this absence, this absent encounter because I start from the assumption that security is the limit that these representations take up. Security influences what can be said and done about human trafficking. While this assumption is rooted in an understanding of security that I will explore in detail in the following chapter, most of the literature on trafficking does not engage with the construction of illegal migration and organised crime as threats. In a speech to the European Parliament before the Seville European Council, Romano Prodi regarded migration as the 'most burning issue' to be dealt with by the EU (Prodi 2002). While a model for managing migration should not be incompatible with the fundamental values of the Union, he emphasised, it should also attend to 'our citizens' legitimate demand for security'.

Similarly to the literature on migration, the literature on organised crime embodies an explicit construction of threat. For Apap et al., transnational organised crime is the dark side of globalisation, threatening and damaging democracy and the economic basis of societies, weakening institutions and confidence in the rule of law (Apap et al. 2002: 6). A report on organised criminality commissioned by the EU starts by defining crime as a threat to the well-being of our societies (Fondazione Rosselli 1999). Moreover, the paper argues, 'the internationalisation of criminal activities means that no country can feel completely secure within its borders at the same time when the danger of all-out military confrontation has receded with the end of the Cold War' (Fondazione Rosselli 1999: 5). The 'made in Sicily' model is thought to have been universalised in a proliferation of threat that has taken on more and more adjectives besides 'Italian': Russian, Turkish, Albanian, etc.

While prostitution is no longer explicitly constructed as a social evil, the underlying imaginary of threat to public order, public health and community morality has led countries like Sweden to criminalise it. Equally, debates on criminalising prostitution have recently gained impetus in France. The feminist literature has also never failed to mention the threat construction of prostitution, although it has not specifically tackled this construction of threat.

Despite an awareness of various threat constructions in relation to illegal migration, organised crime and prostitution that traverses the literature, there is no analysis of the 'vectors' considered in the description of trafficking. When the literature mentions threat representations in connection with trafficking, it does so only in passing, without engaging with this specific problematisation. For Bertone, trafficking is a threat to orderly, legal migration (Bertone 2000). 'Socially', she goes on to argue, 'trafficking can feed popular fear of uncontrolled borders and xenophobic sentiments. Security is put at risk by the growth in criminality that trafficking in women involves' (Bertone 2000: 10). Doezema has also noted various fears and anxieties linked with human trafficking: fears about women's security and independence, of foreigners and migrants, moral fears as well as fears of disease such as AIDS (Doezema 1998: 39). When activists have attempted to formulate the dangerous effects of anti-trafficking, this discourse of threat has appeared as incompatible with another discourse of threat, the threat to trafficked women. The problematisation of problematisation is suspended, as the relation between the two remains unexplored.

The lenses of migration, organised crime and prostitution both form and limit the possibilities of discussion on human trafficking. They do so mainly because of the security structure in which they are all embedded. Illegal migration, organised crime and prostitution are all constructed as security issues and human rights approaches are not autonomous from the legitimate representation of threat at the EU level. The concept of security cannot be divorced from its conceptual baggage, the forms of representation and modes of interventions which have been naturalised in relation to security. I shall consider the aporias of this other type of alternative discourse in more detail in the next chapter.

The humanitarian approach is driven by a wishful replacement of current representations of human trafficking. Human rights advocates argue in favour of an approach protecting the fundamental human rights of victims to balance measures of increased border control and punitive measures against carriers and traffickers. It is interesting to note that the only way these two different claims have been reconciled has been in preventive policies concerning human trafficking. One of the important think-tanks on issues of migration and trafficking, the International Centre for Migration Policy Development (ICMPD), has argued that trafficked women should be granted rights either because it is in the interest of justice to punish traffickers or because it can help the police prevent other cases of trafficking:

Law enforcement officers should always adhere to this method [human rights], not only because it is the correct and caring thing to do so, but also because it is ultimately in the best interests of the investigation to do so because the cooperating victim will always make a more resilient witness if given time and support to come to terms with her experiences (ICMPD 2002).

This argument is not particular to the ICMPD, but has been taken up by many NGOs in order to set up cooperative arrangements with law enforcement.

However, two recent discussions of human trafficking in IR have pointed out the connections between trafficking and security. Jacqueline Berman has argued that trafficked Eastern European women are both an external (as an illegal immigrant) and an internal threat (as white women not easily locatable) to the cohesiveness of the political community (Berman 2003: 60). In her analysis, women present a joint threat of illegal migrants who violate borders and prostitutes who transgress the European moral order. This construction of security appears as entirely artificial and Berman's article is underpinned by a doubt: is this really security?

Earlier, in the context of the Danish construction of the trafficking of Baltic women,

Karen Lund Petersen found too many ambiguities in the criminalisation of trafficking to decide whether it is a security issue (Petersen 2001: 231-232). While the criminalisation of trafficking is linked with a societal threat and as an individual threat to the prostituted women, she claims it can also be read as a strategy of individualisation which avoids the securitisation of the Baltic. Although the equation of Baltic trafficked women with the Baltic more generally is in itself a problematic statement, Peterson's analysis of what securitisation or the construction of security means is an interesting attempt to understand the 'stakes' of security around human trafficking.

What these two analyses trying to bring together trafficking and security have in common is a doubt about what security is. Is trafficking problematised as a security issue and if so, is it *really* a security issue, as Berman has put it? The answer to this question is underpinned by ontological and epistemological assumptions that the next chapter will unpack in order to be able to tackle the effects that security has and the limitations that security imposes on the politics of human trafficking.

Conclusion

This chapter has read the literature on human trafficking as a literature of 'problematisations'. Human trafficking is represented as a problem of migration, organised crime, prostitution, or human rights abuses. I have argued that the representation of trafficking is already vectored by other representations. Representations are important inasmuch as they legitimise or delegitimise, enable or disable certain interventions. What can be done or said about human trafficking can be limited by what can be said or done about migration, organised crime, prostitution or human rights.

While some of the literature, especially on prostitution and human rights is aware of a limit or a limitation to the representational politics that they formulate, this limit is not defined as 'security'. Despite the presence of security in discourses around the categorisations of trafficking and of trafficking itself, 'security' is absent as one of the vectors of trafficking. Even when dangerous effects are acknowledged, the subjective positions affected, i.e. those of sex workers, are exclusive of the positions of trafficked

women. The problematisation of danger for sex workers leaves unquestioned the problematisation of danger for human trafficking. The problematisation of the problematisation is partial as it is formulated in the absence of security. My premise is, however, that the absence of security from reflection allows for the unhindered presence of its effects. This chapter has therefore started from the 'is' of security. There is security. The following chapter will inquire into the ontological and epistemological status of 'there being security'. In what sense can one say that there is security? What does it mean for trafficking to say that it is a security issue and what are the effects of it being security?

II. The presence of an absence: theories of security and human trafficking

Introduction

'Central to the problem of policing THB [trafficking in human beings] is the difficulty in clearly identifying the threat that THB poses to a State'. Thus starts a Europol Report on human trafficking (Europol 2003). Another Report, this time by the IOM, is more explicit in identifying trafficking as 'the most menacing form of irregular migration due to its ever-increasing scale and complexity involving, as it does arms, drugs, prostitution and so on' (Laczkó and Thompson 2000: 19). Or, once more, in a different definition of threat, '[t]rafficking... strips victims of their rights to liberty, dignity, security of person, the right not to be held in slavery, the right to be free from cruel and inhumane treatment' (OSCE 1999). These reports raise the issue of trafficking as a threat and concern themselves with establishing what is threatened and by whom/what. Definitions of what makes human trafficking a threat, whether to the state or trafficked women, are considered important by those involved in governing the phenomenon. The first chapter has argued that definitions of trafficking as a specific form of illegal migration, organised crime and/or prostitution were important for the same reasons of governing it.

This chapter will explore the assumptions with which the previous chapter has worked and explicate them from within security theories. What is security vectoring for human trafficking? What effects does securitisation entail or, to put it simply, what does security do? What limits does securitisation entail? In the previous chapter I claimed that security meta-structures what can be said or done about human trafficking. Moreover, articulating human trafficking with other types of dangers/risks or qualifying it as a threat places it in a security field which entails various effects on how trafficked women are 'managed' as well as on the strategies that re-configure human trafficking as a violation of human rights. I have shown that the alternative approach that represents trafficking as a

violation of human rights fails due to the way in which it is framed in an already securitised discourse. I assumed that security has effects and sets limits to what can be said and done.

The effects of security can only be understood in the context of describing security. What security is has an impact on interventions, on what security does and what it allows to be done. This chapter will unpack the 'there is' of security. Ascertaining whether human trafficking is a security issue has been important for practitioners and analysts alike. At the beginning of her article on sex trafficking in the EU, Berman asks whether human trafficking is a '*grave threat*' to international security or *really* a law enforcement issue (Berman 2003/emphasis mine). Berman's question (Is human trafficking 'really' a grave security threat?) takes us in the midst of the security debates in IR on the nature of threats.

Really can be read in different ways. It can be read as opposed to *constructed*, which has entailed a debate about what is rightly and what is wrongly defined as a security issue. 'Real' as what pertains to the objective materiality of the world delegitimises construction as false. *Really* can also be read as opposed to *symbolically* and *imaginarily*. Symbolically and imaginarily open up different readings of what 'constructed' can mean. Different security schools have argued about the meaning of the symbolic in relation to discourse and practice. 'Imaginary' is a term I introduce here to make explicit the relation that the concept of security creates between the subject and the world. Security has a fictional element, something one can imagine as a state to be achieved. How can this imaginary enter the other debates? *Really* can also be read from a *subjective perspective*: real for whom?

Unpacking the question of the real of security shows a different relation that the debates on security have towards problematisation. While the first discussion of whether security is real or not, whether one representation is false and another not is also a literature of problematisation, the other debates formulate problematisations of the problematisation of security. All forms of construction, symbolic or imaginary, have effects which are differentiated depending on subjective positions. While this chapter introduces

different ways of approaching security and argues for an approach that focuses on the 'problematism of problematisation', the next chapter will explore how critical approaches have devised strategies that would unmake the effects of security.

This chapter will proceed in four stages. The first section will consider the debate between strategic studies and constructivism on what a security issue is. This problematisation will allow us to see the departures by other debates and the attempt at a problematisation of problematisation. I have already indicated that the problematisation of problematisation entails an inquiry into the effects of security. To be able to answer the question of 'what security does', in the second section I shall look at 'how security works'. If securitisation is a matter of discourse, practice or rather of ontological (in)security, then its effects are likely to differ. The final two sections will consider the effects of security, what security 'does' in the tension between its explicit goals and implicit effects. Explicitly, security purports to secure somebody/something, while implicitly, securitisation is set to eliminate dangerous others and triggers other sets of pernicious effects that need to be explored.

The two articles by Berman and Petersen briefly considered at the end of the first chapter ask some of these questions in relation to human trafficking. In the context of this chapter, I shall use them for illustrative purposes, both empirical and theoretical. Both Petersen and Berman are faced with some of the dilemmas in security studies and their standpoints will be useful as a background for my own discussion of these debates.

Questioning security: is it real or not?

This section will focus on the debates about whether security issues are socially constructed or not. In security studies, the question of the social construction of security has inflamed spirits, created new antagonisms and re-shaped sub-disciplines. I embark upon this discussion bearing in mind Hacking's point that richer tools are needed to think than those of reality or social construction (Ian Hacking 1998: 1) and I shall subsequently look at what tools exist in the field to understand how security works.

Many of the debates in security studies are concerned with what security means nowadays, which problems are actually threats and therefore legitimate objects of study in the field and, for those in the social constructivist camp, which issues *should* be dealt with as security threats and which not. The opposition of real vs. constructed has characterised the debate starting in the 1980s on the proper sphere of security. For 'strategic studies'/classical security studies, the offspring of American and Western defence policy (Buzan 1991: 6), threats are objectively given and military in nature. For those who concern themselves with the 'study of threat, use, and control of military force' (Walt 1991: 212), human trafficking is 'wrongly' conceived of as a threat. Human trafficking is largely indifferent to the state, it is not military in nature and does not threaten 'national security'; one could say that human trafficking bypasses the state.

Threats to a state are objectively given inasmuch as they can be read from the behaviour of other states. States *cum* individuals are intentional beings whose actions are expressive of their goals. The main question that concerns the strategists would be of measures to be taken to pre-empt or neutralise such threatening behaviour by other states. The arms race and theories of deterrence dominated the discourse on security (Buzan 1997: 6). Established in the conditions of the Cold War, strategic studies were understandably concerned with the territorial survival of the state and attacks to state sovereignty. While 'national security' was strictly defined and limited given the 'military and nuclear obsessions of the Cold War' (Buzan 1997: 9), state sovereignty could provide some leeway, bearing in mind that much of the Cold War was 'fought', directly or indirectly, on the territories of third states considered to be essential 'zones of influence' for the two big powers. Military actions outside the national territory could thus count as infringements of sovereignty.

From the possible widening of state sovereignty, the next step for an enlarged concept of 'national security' was the economic dimension. On the one hand, economic power could be transformed into military power as money could buy arms and new military technology. On the other, economics was thought to be a viable substitute for military power (e.g. Gilpin (1981). Economic sanctions are a tool of US foreign policy as much

favoured as investment in military technology. In a gatekeeper article on the meaning of security, Stephen Walt allows for economics only if it relates to military issues. Widening security is limited by two axes: that of the state and that of military appurtenance. Any larger expansion, Walt (1991) has argued, would destroy the intellectual coherence of the field and make it more difficult to devise solutions to any of these important problems (Walt 1991). Buzan has read in this unwillingness to widen security a 'generally unspoken political concern that allowing non-military issues to achieve security status would have undesirable and/or counter-productive effects on the whole fabric of social and international relations' (Buzan 1997: 9).

Later on, the concept underwent successive extensions given that other threats, non-military in nature were seen as endangering the state. Organised crime, to take an example closely related to trafficking, has been considered by strategists. By weakening state institutions, organised crime is analysed as an objective threat to sovereignty. Organised crime infiltrates the legitimate business and political elites and reaches a 'symbiotic' phase in which it becomes fully integrated into the political structure, as in the example of Italy where the Mafia became closely connected with the Christian Democratic Party (Lupsha 1996: 24). As the example of organised crime shows, the concept of 'national security' and threats to the state can be expanded.

Even if human trafficking does not satisfy the conditions of possibility for a threat, namely it is not of a military nature and it does not threaten the survival of the state, it can be integrated in a loose definition of 'national security'. Myron Weiner for example has provided an account of migration as a threat to the state. Weiner has undertaken an analysis of 'how, why and when states may regard immigrants and refugees as potential threats', of the conditions under which migration is legitimately dealt with as a security threat (Weiner 1992/1993: 104). He has identified five ways in which migrants can become a security threat to the state: when refugees and migrants are working against the regime of their home country; when they pose a risk to their host country; when immigrants are seen as a cultural threat; when they are perceived as a social or economic threat; when the host country uses immigrants as instruments to threaten the country of

origin. In the same vein, refugee crises can spill over and cause destabilisation of states (W. Zimmerman 1995: 107).

Weiner's analysis would be the appropriate response to a demand to qualify the type of threat that human trafficking represents, as required by the Europol Report quoted at the beginning of this Chapter. Post-9/11, one of the main concerns with the threat of human trafficking was that, similarly to arms- and drug-trafficking, it yields huge sums which can be used by terrorist groups. In his discourse justifying the war on Iraq, George Bush has included trafficking as one of the most important threats we are facing today (Bush 2003).⁹ Therefore, trafficking could potentially become a crucial security issue for the state, even given a commitment to security threats as objective givens. In this approach, human trafficking is linked with other direct threats such as money laundering, drug dealing and arms trade.

However much strategists have tried to hold on to restricted definitions of security, claiming a widened concept appeared to be more in tune with political developments. Security encompassed more and more issues that the post-Cold War World was confronted with: environmental problems, ethnic problems, migration problems, etc. The widening debate has endorsed an expanded concept of security and has shifted the boundaries of the security realm to include all sorts of threats to the state and other forms of political communities. It has however resulted in simply adding adjectives, as Huysmans has put it (Huysmans 1998c: 227). Environmental, political, economic, societal security... For Krause and Williams too, broadening has turned security into a 'grab bag of different issue areas' (Krause and Williams 1997: 35).

'Wideners' have discovered a proliferation of threats that need to be analysed and dealt with. Human trafficking as connected with organised crime would be analysed as a cluster of threats: political, economic and societal. Wyn Rees has looked at organised crime and the security construction from a conventional widening perspective (Rees 1999). Organised crime is an 'indirect' political threat inasmuch as it is linked with political

⁹ This is not however the only element that makes human trafficking a security issue. Bush adds the humanitarian element, the global concern with the plight of trafficked people.

corruption which may exercise a pernicious effect even within relatively stable countries. Economically, organised crime groups may establish micro-economies within the boundaries of the state. On the societal dimension, organised crime can contribute to the breakdown of the cohesion of a society by promoting high levels of violence and intimidation.¹⁰ A 'widening' approach would limit itself to telling us 'how things are', again replicating a construction of security.

Some wideners would say that human trafficking is 'really' a security threat and should be analysed as such. Others would add a constructivist proviso to the analysis of issue areas. The construction of issues into security problems has sparked acrimonious debates between traditional security analysts and social constructivists. Despite their rejection of constructivism in favour of an objective assessment of threats, one could say that there is a 'performative constructivism' at the heart of their approach. Even when denying that human trafficking is a security threat, strategists would still imply that at some level (most likely the political/societal arena) human trafficking *is* considered to be a threat. If trafficking is 'wrongly' made to appear as a threat, it means that things are not predisposed by nature to become security threats.

Therefore, the opposition between 'really' and 'falsely/wrongly' means that, in certain locales, things are made into security threats and/or un-made. There are certain processes that make issues into security. In the end, this process of construction does not appear as artificial at all, but becomes naturalised. Constructivists would agree that threats and dangers do not meet us out there, as positivists would have it, but gain 'ontological hardness' in a process of construction. Lene Hansen's formulation about the poststructuralist approach to securitisation could apply with slight modifications to most constructivists: '[a]ll poststructuralists work with the notion that security should be seen as a discursive practice rather than as a direct representation of an objectively threatening reality' (Hansen 1997: 376). This formulation takes us away from the debates on the truth or falsity of security issues. Construction becomes the real. What is interesting is no

¹⁰ The literature on organised crime and security has flourished since the 1990s, typical widening analyses being present in the journal *Transnational Organised Crime*. Similar approaches in P. Williams (1994).

longer the debate about whether security issues are rightly or wrongly so, truly or falsely, but understanding the processes which make security real.

Nevertheless, there are differences among constructivists, especially between wideners-turned-constructivists and those who avow a poststructuralist sensibility. David Campbell has discussed these differences between a constructivism focused on adding variables (such as ideas) to the poststructuralist interest in discourses and their effects. He has rejected both a constructivism of the 'volitional agent reigning supreme' and of language as an 'omnipotent force' that expunges accounts of human agency (Campbell 1998a: 218-219). More than the distinction between construction and reality – we have seen that to a certain extent the two overlap, with strategists allowing for 'wrong' constructions and constructivists admitting to naturalised, thus real security issues – are the tools with which to tackle the process of construction. How do security issues gain their 'ontological hardness', what is the role of structures and agents in this construction?

Constructing security: the real of symbolic practices

This section will consider two modes of opening up processes of security construction. The first one – though not necessarily chronologically the first – has been offered by the Copenhagen School of security studies (CoS). Ole Waever has labelled the process by means of which issues gain 'ontological hardness' and appear as real security issues 'securitisation'. The second approach, linked with the Paris School of security studies, focuses on the symbolic power of discourse.¹¹ It emphasises the role of the speakers and of their positions of authority for the success of discourses.

The CoS have expanded the concept of security to provide better tools to understand the 'proliferation of threats' on the political agenda. Their theory combines a taxonomy of sectors in which issues can be securitised with an understanding of the process by which issues are raised above the 'haggling of normal politics' (Buzan et al.

¹¹ 'Schools' are arbitrary delimitations of how security is analysed. Yet, Waever's 'school' terminology has stuck, as it captures some of the main disagreements in security studies (Waever 2004). Nevertheless, not all the approaches discussed here can be labelled as schools.

1998). In the 1998 *Security Framework*, the CoS identified five sectors of security: military, political, societal, economic, and environmental. Later on, Lautsen & Waever argued for another possible sector of security, religion (Lautsen and Waever 2000). Sectoral differentiation serves to distinguish between referent structures of securitisation (societal securitisation will tackle identity, while military security is concerned with state survival).

However, it is with the notion of 'securitisation' that the CoS becomes truly innovative (Huysmans 1998b). Their constructivism is inspired by Austin's theory of speech acts. What makes securitisation coherent across sectors is a rhetorical structure; for Buzan and Waever security could be 'homogenised across sectors only by being linked with practices of challenge-resistance (defence)-escalation-recognition/defeat... the structure of the game is derived from the most classical of classical cases: war' (Buzan et al. 1998). Issues are securitised by virtue of discursive construction or, as Buzan and Waever have put it, '[s]ecurity is a quality actors inject into issues by securitizing them, which means to stage them on the political arena... and then to have them accepted by a sufficient audience to sanction extraordinary defensive moves' (Buzan et al. 1998: 204).

Human trafficking would be discursively constructed as a threat rather than as a labour issue. Three main elements characterise the construction of human trafficking as a threat: the speech act, political actors (with the state as the ultimate securitising actor, as it is the state that needs to take up the security claims) and the sanctioning of extraordinary measures. Unlike strategists who could decide *a priori* on the security of an issue, for the CoS the security analyst can only decide *a posteriori* if an issue has been securitised or not. The security analyst is little more than an observer geared with the necessary conceptual tools to understand the moves taking place in the realm of extraordinary politics.

Didier Bigo has criticised the CoS for reducing symbolic practices to linguistics, at the expense of analysing institutional practices and actors. One tradition of analysing securitisation has been to look at discursive representations of dangerous others in the media. Many articles on human trafficking look extensively at media representations of what human trafficking is and how others are depicted. Another research strategy has

been to look at securitisation discourses in the media as constitutive of moral panics. When other discourses are considered, it is generally of major political actors, like the EU commissioners, government officials, and party leaders. Often these discourses are selected depending on their previous selection by the media. There is little critical assessment of how these discourses have attained the prominence that makes them relevant for desecuritisation.

Pierre Bourdieu's analyses of the positions from which discourses are uttered have provided valuable tools for the so-called Paris School in this debate on the role of speech acts. Not everybody has the power to turn human trafficking into a threat or even represent the issue of human trafficking. For Bourdieu, the efficacy of speech acts cannot be separated from the existence of institutions that confer authority upon the speaker/utterances (Bourdieu 1991). Successful speech acts are uttered from positions of authority. As Mike Williams has concisely put it, 'Performing the discursive speech-act of security... is a *social accomplishment* which can only be effective in the context of a corresponding constellation of social forces' (M. C. Williams 1997: 299). The question that hovers is how to discriminate between various actors, which actors and whose discourses to privilege.

Drawing on Bourdieu's theory of symbolic power, Bigo has considered the constitution of authority to speak security. The 'constitution of authority' (for example, the authority the police gains in dealing with security matters normally reserved for the military) is to be understood in terms of Bourdieu's convertibility of capital, with the proviso that Bourdieu's types of capital (economic, social, cultural) are replaced by types of knowledge (Bigo 2000: 87). Practices of security exist in a specific field, formed by actors with particular know-how and technologies, namely the 'security professionals' (Bigo 1996, 2000, 2002). As not any speech act is felicitous and depends on conditions both internal and external to discourse, practices of securitisation can only be undertaken by those endowed with the knowledge to do so. Those who speak security must have the capacity to produce a discourse on the figure of the enemy and impose their own definition on what constitutes a threat (Bigo 1996: 51, 2002: 75-76). The success of voices

which speak security depends on the positions actors hold and on the symbolic capital these are endowed with, as well as on the capacity to produce a discourse which supports and reinforces a particular reading of reality.

In response to Bigo, Waever has reiterated the importance of the performative speech act at the expense of what he calls, following Austin, the 'conditions' of a felicitous speech act. The three main conditions that Waever lists are: (i) the internal construction of the security speech act as a plot with an existential threat, a point of no return and a possible way out; (ii) the position of authority of the securitizing actor; and (iii) conditions historically associated with the threat (Waever 2000: 252-253). Although Waever, following Butler's insight that it is possible to speak with authority without being authorised to speak (Butler 1997a: 157), claims that authority is not essential for the success of a securitising act, he does not theorise how un-authorised agents can disrupt the normal practices of democratic politics.

Waever's example of environmental movements having performed un-authorised speech acts leaves open the question of practices which are able to account for the success/failure of a speech act (Waever 2000: 286/ft.7). On which arguments do environmental movements base their discourse? They often employ alternative knowledge to counter already 'authorised' knowledge; yet, the CoS lacks the tools to allow for this possibility as securitisation is limited to the act of uttering. Williams has formulated this issue of authorisation in a Bourdieuean voice against the CoS approach:

A key element in understanding the politics of security is thus not simply the linguistic and conceptual structures involved, but their position within a specific institutional setting. The ability to 'speak security' effectively involves the ability to mobilise specific forms of symbolic power within the specific institutional fields in which it operates (M. C. Williams 1997: 298).

The *savoir faire* of the police can be made applicable to other issues. NGOs, for example, can be incorporated in the regime to govern human trafficking inasmuch as they have

made their expertise indispensable by 'liaising with the authorities on... behalf [of victims] and intervening to protect the rights of trafficked persons' (Anti-Slavery International 2002: 32).

The securitisation of human trafficking is articulated from various institutional positions and institutional interests are at work in the constitution of a 'regime of truth'. As at the European level human trafficking was initially thought to fall under the aegis of the Europol, to be dealt with together with drugs- and arms- trafficking (den Boer 1998), other institutions are now involved in the management of human trafficking: border police, internal police, customs, migration services, international NGOs, human rights NGOs, etc. These institutional actors do not only mobilise resources, but create particular forms of knowledge to 'fabricate the threat migration represents (for example, a statistical representation of asylum seekers or of illegal migrants in a discourse on social instability, or, categorizing migration together with drugs trafficking, international criminality, and terrorism)' (Huysmans 1998a: 572).

These analyses work with a Foucauldian understanding of discourse. The objects of discourse can only be analysed in a complex group of relations between institutions, economic and social processes, behavioural patterns, systems of norms, techniques (Foucault 2002: 49). This emphasis on the 'exteriority' of discourse or rather on relations situated at the limit between exteriority and interiority as Foucault has defined them in *The Archeology of Knowledge* is close to Bourdieu's study of the social positions.

The difference between Butler and Bourdieu is, however, manifest in another respect. Butler's indebtedness to Foucault makes her account of performative speech acts interested in the power effects of discourses in constituting subjects and objects. A Bourdieuean approach to speech acts focuses rather on the emergence and reproduction of discourses and practices, on the constitution of subjects who are authorised to speak rather than objects to whom legitimate speech is denied and whose words come to count as less than words.

The CoS have not denied a Bourdieuean actor-oriented approach to language; they do not analyse 'floating' discourses and agree that securitisation is spoken from

positions of authority. In a sense, they are closer to Bigo in their understanding of security than to Butler's emphasis on the effects of power relations. Waever has seen securitisation as 'articulated only from a specific place, in an institutional voice, by elites' (Waever 1995: 57). Where, for example, Waever and Bigo part ways is in their respective delimitation of the 'security field'. For Waever securitisation is a political spectacle where the main actors are the political elites. For Bigo it is bureaucracies that are important in the securitisation process. The CoS, like many constructivists, have not taken on board Foucault's insights on power/knowledge and the role that knowledge can play in establishing authority (or relations of domination in Foucault's terminology). Although Foucault differentiates relations of power and relations of domination, I shall use the two interchangeably as analysis of power relations are the taken-for-granted terminology. Yet, security practices can be better understood as relations of domination. According to Foucault,

facts or states of domination [occur when] the relations of power, instead of being variable and allowing different partners a strategy which alters them, find themselves firmly set and congealed. When an individual or a social group manages to block a field of relations of power, to render them impassive and invariable and to prevent all reversibility of movement – by means of instruments which can be economic as well as political or military – we are facing what can be called a state domination. (Foucault 2000c).

Security practices do not function as reversible relations of power, but reify and congeal spaces of abjection.

The CoS have focused on political actors as speakers of security, given their understanding of what politics is. As liberal democratic politics has electoral responsibility at its core, the dynamics that the CoS have in mind is that between political actors and their electoral 'audience', those who need to be convinced of the legitimacy of a security

threat. Such an approach equally sanctions an analysis of securitisation in the media, if media is seen as the intermediary, the medium through which representations are circulated between political elites and the audience.

Media representations have been extensively used by sociologists to explain the creation of 'moral panics'. Securitisation, although mediated, reinforced or even spurred by media representations, remains very much the premise of institutions. Bigo has remarked that '[j]ournalists often repeat and summarise what they hear from their information sources: security bureaucracies' (Bigo 2001a: 126). The media discourse on trafficking tends to mirror two types of discourses, one endorsed by NGOs and anti-trafficking campaigners who see trafficking as a human rights violation and the other one upheld by law enforcement. An article from *The Spectator* quotes Andy Felton, who has worked on Project Reflex, a unique British/Romanian initiative to stem illegal migration to the UK, who argues that victims of trafficking, far from being gullible peasant girls, as portrayed by the IOM, were seasoned prostitutes before they left (The Spectator 25 April 2003). 'Happy hookers of Eastern Europe' as the journalist calls them, they are the opposite of the victim image promoted by other media reports and the NGOs.

Sociological analysis would shift the centre of gravity of securitisation behind the bureaucratic closed doors rather than relegate it to political actors and the media. The dichotomy that the CoS preserve between political elites and the audience tends to reproduce either an image of cynical politicians or of unawareness on the part of elites and ignores the role that knowledge plays in creating a 'regime of truth' about threats, whose veridicity is taken-for-granted by politicians and electorates alike.

The analyses of security which have turned a sociological eye upon practices have been mainly concerned with the emergence of practices in specific institutional loci. In such an analysis, human trafficking would be the result of a contingent combination of practices that links it with other threats such as illegal migration, drug-trafficking, organised crime and even terrorism. An understanding of this *security continuum* would require extensive interviewing and monitoring of police officials entrusted with the management of human trafficking.

As the first chapter has suggested, the securitisation of trafficking is not necessarily a discourse that utters security in relation to trafficking. It is by being represented as a form of organised crime, illegal migration and prostitution that human trafficking acquires the threat connotations of the former. The CoS do not emphasise the inter-relatedness of issues, but look at the separate processes of construction. I have shown, however, that representations that take up other categorisations are subject to vectoral transformations. These representations are directed and modified by the initial categorisations. What Bigo's analyses add to this insight is a non-discursive element. 'Vectorisation' does not happen through linguistic cohabitation of terms, but takes place in a field where professionals place these issues together, inter-link them and devise interventions to manage them. At the same time, what the first chapter has added to an analysis of policing and of 'security professionals' is the element of knowledge and representation that does not necessarily belong to the 'security professionals'. Other categories of professionals enter this field of practices which is simultaneously a field of knowledge.

The CoS approach to threat construction raises problems in deciding whether human trafficking is a security issue. Petersen's article is interesting especially because she confronts head-on this problem from within the CoS camp. Buzan and Waever have been aware of Walt's warning that constructivism can lead to relativism (if issues are constructed into security, then everything can arbitrarily become a threat, making the concept of security irrelevant) and have attempted what I would call a 'controlled expansion'. While expanding security to sectors through the performative speech act definition of securitisation, they control and limit it by the 'logic of war' and, one could legitimately add, by that of friend and enemy.

Acting as criteria for judging successful securitisation, these limitations are apparent in Petersen's analysis. Since the Baltics are no longer perceived in a relationship of enmity in the Danish society and old stereotypes of friend/enemy are no longer at work, she has problems deciding whether trafficking has been securitised or not. Moreover she wonders whether 'the criminalisation of trafficking in women mean[s] that trafficking in women has become securitised' (Petersen 2001: 231) and looks for the equivalent of the

'logic of war' and survival in practices of criminalisation. Human trafficking fails to satisfy both criteria: it does not threaten state survival anymore than the survival of society, there is no logic of war or of survival at play, and friends and enemies can only be found if a *priori* given in certain circumstances.

According to this argument, Russian women trafficked to Germany would be perceived along the friend/enemy lines, while Baltic women trafficked to the Scandinavian countries not. As none of these elements are present in the Baltic–Danish case, she decides that 'the criminalisation of trafficking works to prevent a securitisation of trafficking in women by individualizing the issue of trafficking' (Petersen 2001: 232). If securitisation concerns *collective survival*, criminalising human trafficking can only be a move to suspend securitisation. The CoS securitisation does not leave space for the individual, whose concerns for survival would not have the mobilising potential that those of larger societal groups (e.g. ethnic groups) can have.

The CoS restrict the logic of security by means of discursive rules. As the securitisation scenario was played on the stage of 'panic politics' – as opposed to 'normal politics' (Buzan et al. 1998: 34), the distinguishing feature is internal to discourse, the specific rhetorical structure of survival and urgency. Huysmans has warned against this limitation of the ambit of security (Huysmans 1998b). Bigo has also argued against this restriction of securitisation to the logic of war. According to him, securitisation is a matter of everyday technologies that the 'professionals of security' employ. Biometrics, databases or surveillance do not immediately entail questions of survival. Yet, these are the technologies used in specific security constructions. One would therefore need to consider the possibility that the securitisation of human trafficking takes place in a specific articulation with criminalisation, that certain practices applied to traffickers and even trafficked women are criminal practices. Having recourse to these practices would appear commonsensical if one were to consider the institutions and the actors involved in this field.

As the police are one of the actors involved in securitisation (cf. Bigo 1996), 'policing' human trafficking is different from practices of the military, for example. Moreover, the

securitisation of trafficked women does not necessarily entail a type of regional securitisation. Securitising trafficked women from the Baltics is not equivalent to securitising the Baltics, though old stereotypes about regions and nationality do play an important role. Bigo has claimed that security practices and technologies are more important than public policies and political discourse if one is to understand what is at stake (Bigo 2001a: 121).¹² It is an analysis of practices that disentangles securitisation from emergency and exception to find practices of security that work 'through everyday technologies, through the effects of power that are continuous rather than exceptional, through political struggles, and especially through institutional competition within the professional security field' (Bigo 2002: 73). Human trafficking will also appear as de-linked from war and the friend/enemy construction, governed through technologies of risk management and profiling.

In his analyses of policing, Bigo has made explicit the heterogeneity of practices which do not fit the militarised logic of friend/enemy making, but are 'policing' practices in the Foucauldian understanding of the word (Bigo 1996).¹³ He has argued that the link between the migrant and the criminal is the result of the techniques that the police have used against migrants, techniques previously used against criminals (Bigo 2001a: 134). Bigo's analyses would turn upside down an interpretation of discourses which would point to the slippage from 'clandestine/illegal immigrants' to 'criminals' or from the criminalised movement of drugs and arms to the criminalised movement of people. While discourses remain important for ensuring the continuity of practices and providing rationales for certain practices, Bigo sees practices as ontologically prior to discourses.

However, it is less important to decide whether it was first that border officials transferred practices from dealing with illegal migrants to trafficking, whether the police first considered trafficked women as illegal prostitutes, having thus committed an offence or whether it was a discursive construction that entailed certain practices. The relationship

¹² M.C. Williams (1997) and Ceyhan (1998) make similar arguments.

¹³ There is an ambiguous use of 'police' in Bigo's work, one directly connected with the analysis of police work and a more comprehensive one derived from Foucault. In the latter sense, 'police...is the ensemble of mechanisms through which order is ensured' (Foucault 2001: 17/translation mine).

between discourse and practice is more complex, a relationship of co-dependence rather than 'implementation' (Rose and Miller 1992; Valverde 1996). It entails an analysis of heterogeneous practices that place certain issues in a field defined by security professionals. The questions that emerge from a Bourdieuean approach to the field of security and the professionals who have 'stakes' in the field concern the structuration of the field itself and the relation between professionals and the logic of practice. Is there a logic of security practices that goes beyond the 'stakes' of professionals? Chapter 4 will suggest that the logic of security practices can subvert forms of contestation between professionals, e.g. between NGO professionals and security professionals. How is the field constituted, how is it held together? The next section will suggest that there is an imaginary of security that holds together practices and allows for movements between fields.

Discovering security: the real of imaginary (in)security

Is security all about institutional practices and discourses? Zygmunt Bauman, Anthony Giddens, and Ulrich Beck link security with subjective experience. This section is devoted to ontological security to explore how an imaginary of security functions beyond real and symbolic practices or rather consonant with those. Even if not much theorised, the imaginary of security is invoked or often assumed in security studies. Ontological security gives us an idea of what makes security so powerful, beyond institutional and discursive construction. Ontological security has not sparked much debate and has not entailed any school creation in IR, mostly given its contradictory position towards the discursive and practice-oriented approaches already discussed.¹⁴ On the one hand, ontological (in)security provides an explanation for the quasi-pervasive securitising practices and on the other, it challenges an analysis of practices inasmuch as it functions like an invariant of post-modernity. Ontological security can be read as posing a challenge to the analysis

¹⁴ The articles that make use of the concept of ontological security are rather sparse. See, for example, (Steele 2005), (Mitzen 2006 forthcoming), (Zaretsky 2002).

of practices; if we know the underlying reason for securitisation, it is no longer necessary to study practices, but to come to terms with our ontological (in)security.¹⁵

The phrase 'ontological security' was coined by Giddens in the early 1990s. 'To be ontologically secure' is, according to him, 'to possess... "answers" to fundamental existential questions which all human life in some way addresses' (Giddens 1991: 47). There are four existential types of questions: questions about *being, finitude and human life*, questions concerning the existence of *other persons, self-identity* (Giddens 1991: 50-55). This general philosophical argument becomes a sociological argument of 'ontological insecurity' in modernity, characterised by the intrusion of abstract systems and the de-skilling of day-to-day life, an 'alienating and fragmenting phenomenon so far as the self is concerned' (Giddens 1991: 137). Anxiety about self-identity is one of the characteristics linked with modernity. What Giddens has called 'ontological security' could more aptly be called 'epistemological security' as it is closely bound with the limits of knowing, with asking questions about the nature of being, of self and others and the impossibility to provide answers. Huysmans has looked at the 'double fear' in security stories as both the 'fear of death' and an 'epistemological fear – a fear of not knowing' (Huysmans 1998c: 234-235).

Bauman has also located three ingredients of *Unsicherheit* (security, certainty and safety) as 'conditions of self-confidence and self-reliance on which the ability to think and act rationally depends' (Bauman 2001: 17). As a writer of postmodernity, Bauman argues that the conditions of globalisation produce continuous uncertainty, they do not allow any risk-free, secure spaces and in the process encourage fear about threats to personal safety. As institutions are no longer capable of offering security and certainty, all they can do is shift anxieties to one ingredient of *Unsicherheit*, i.e. individual safety. Yet Bauman understands safety as a necessary strategy to deal with *mortality*, which is therefore a-historical. He combines a metanarrative of human civilisation and its 'essential' propensity towards security with a large-scale narrative of globalisation. Bauman was not a singular

¹⁵ In this form of argumentation, ontological insecurity has fared better in security studies. If at the heart of the modern subject is insecurity, one needs to come to terms with this insecurity.

figure to point out that the unresolvability of large scale uncertainty/insecurity brings about an exclusive focus on personal safety. Such a strategy is seen as politically appealing, given that 'the roots of insecurity are thrust in anonymous, remote or inaccessible places' and 'it is not immediately clear what the local, visible powers could do to rectify the present afflictions' (Bauman 2001: 50-51).

Connolly has also emphasised how the state, confronted with the globalisation of economic life and its inability to control or provide a secure space for its citizens, takes up a 'compensatory expression of state efficacy and accountability' (Connolly 1999b: 129). 'Under these circumstances', Connolly goes on, 'signs of state inadequacy in other domains become transfigured in the realm of criminal punishment' (Connolly 1999b: 129). Berman's argument about human trafficking is similar to Connolly's. The problem with such narratives of (post)modernity and globalisation is that they can explain virtually everything, any of the issues that become securitised are a Freudian replacement and negation of one type of *Unsicherheit* by another.

For Beck, a division between first and second modernity introduces risk to parameters unknown before. Beck's risks are attributable to the inability of social institutions to control the risks they have themselves created. Unlike the theorists of post-modernity, Beck replaces the 'post-' accounts by a positive account of modernity. Beck's theory rests on the '*totalising* assumption that risk should be approached in a narrative of the modernisation process that brings about a "risk society"' (Dean 1999a: 181). The pervading sociology of risk in modernity is directly linked to a failure of knowledge. The industrial society of the first modernity is no longer able to control the risks to which it has given rise (environmental, technical) and the risk society of the second modernity becomes the era of incalculable, unaccountable and unlimited risks (Beck 1992).

Beck's risk society, Giddens' late modernity or Bauman's postmodernity are characterised by changes in the forms of lives, types of connections, ties, communities that exist and which have anxiety and insecurity built at their heart. Despite the limited resonance of Giddens' ontological security, the idea of an insecurity that is explainable in the context of the larger process of modernisation has appealed to security studies. By

integrating 'ontological insecurity' in such a meta-narrative of modernisation, all security constructions are shown to be equally flawed.

Different constructions of security have Girardian undertones, in which all 'others' become arbitrary objects of (in)security, scapegoats of modernity (Girard 1986). The problem with such an approach is that it is not linked with micro-practices of security construction. At most, it can conceptualise macro-practices, as Beck does. Illegal migrants can be swapped with refugees, asylum-seekers, terrorists, drug-dealers or even more generally the 'East', 'the Baltics'. In her explanation about the state's 'ontological insecurity' under conditions of post-modernity and globalisation, Berman does away with the specificity of human trafficking. She quotes officials for whom the problem of trafficking is not just individual violence but equally involves the threat of cross-border activity. In this instance, the announced concern over the exploitation of women is haunted by a more visceral concern about border violations (Berman 2003: 42). As the fluidity, fast pace and blurring of boundaries that globalisation is thought to entail are dangerous for all forms of identity, one danger could be easily substitutable for another, all leading to the same effect, namely exposing state insecurity.

Every form of insecurity is therefore amenable to a grand insecurity, the insecurity of post-modernity, late modernity or globalisation. In contrast to ontological (in)security, practices of security emphasise concrete analyses of rationalities and technologies. Rather than assuming a form of risk or disorientation characteristic of (post-)modernity, these accounts focus on the heterogeneity of these rationalities and show how practices are made up and assembled of various elements. In such an account, human trafficking would not be expressive of a *malaise* of the state under the conditions of globalisation, but would be constituted as a particular assemblage of rationalities and technologies. Technologies for managing illegal migration, organised crime, prostitution, technologies for assisting victims of crime, judicial technologies for dealing with criminals are brought together in a specific formation. As Bigo has formulated a research strategy of security practices, '... it is in their [the actors'] ordinary work, which they do every day... that we

note tangible marks of crucial transformations which are affecting “governality” within the European boundaries’ (Bigo 2000: 72).

Opposing the grand narrative of ‘risk society’, the governmentality literature has advocated a concrete and empirical analysis of specific types of risk rationalities and practice. Dean has pointed out that ‘[r]isk and its techniques are plural and heterogeneous and its significance cannot be exhausted by a narrative of a shift from a quantitative calculation of risk to the globalisation of incalculable risk’ (Dean 1999a: 191). In the case of human trafficking, risk functions mainly as a strategy for assigning people into categories of risk. Typical risk profiles of victims of trafficking would read along these lines:

Most (Central and Eastern European) victims of women trafficking are between 18 and 25 years of age, unmarried and without children. Relatively often, victims of women trafficking, especially Central European victims, come from problem families – single parent families, alcohol abusing parents, incest, mistreatment, financial and housing problems, psychological problems (Vocks and Nijboer 2000: 383).

A study by the IOM office in Romania office has found that 38 percent of girls between 15 and 18 years of age in orphanages were ready to ‘emigrate to a foreign job’, putting them at risk of being trafficked. The same study has found that 38 percent of single women and girls aged 15 to 25 and 20 percent of women and girls who lived with their parents were ready to emigrate to a foreign job (US State Department 2002). These practices of profiling are part of the strategies and techniques of pro-active policing and prevention and they are important inasmuch as they create specific exclusions which cannot be understood from an invariant account of ‘ontological security’.

The ontologisation of insecurity has also informed analyses of the constitution of the modern subject that security practices invoke. Practices of security are grafted upon the constitution of the modern subject in need of security. Bauman has defined ‘the typical

modern practice, the substance of modern politics, of modern intellect, of modern life, is the effort to exterminate ambivalence' (Bauman 1991: 7). Dillon has shown that (in)security is tightly bound with metaphysics, inasmuch as the 'metaphysically determined being has a foundational requirement to secure security' (Dillon 1996: 27). The metaphysical being is the Enlightenment being, driven by a desire to security and secure identity, but doomed to eternal ontological insecurity. Ontological insecurity bears the name of the other, the difference that cannot be eliminated but is constitutive of the modern being. It is not the conditions of (post-)modernity that create insecurity, but the metaphysical definition of identity. Identity can only be constituted and re-enacted as identity/difference. As Connolly has famously put it in his groundbreaking *Identity/Difference*,

Identity is... a slippery, insecure experience, dependent on its ability to define difference and vulnerable to the tendency of entities it would so define to counter, resist, overturn, or subvert definitions applied to them. Identity stands in a complex political relation to the differences it seeks to fix (Connolly 1991: 64).

This is the predicament of the modern subject. Campbell and Dillon have argued in the introduction to their co-edited book that 'the political subject of violence, rapaciously invoking security, comes in a variety of guises, however, depending upon where its particular idiomatic expression happens to locate the centre' (Campbell and Dillon 1993: 28). The imaginary of security is consonant with the variety of security practices through which the modern subject attempts to make herself secure. Given the metaphysical necessity to secure the identity of the modern subject, they conclude, alongside Der Derian, that 'the enemy of the politics of security is the very heterogeneity, difference and otherness' (Campbell and Dillon 1993: 28).¹⁶ Taking up Connolly's analyses of

¹⁶ Both Campbell and Dillon have also offered influential analyses of security practices inspired by Foucault's work (Campbell 1992; Dillon 1995b).

identity/difference, poststructuralists claim that an identity is made insecure or threatened 'not merely by actions that the other might take to injure or defeat the true identity but by the very identity of its mode of being as other' (Connolly 1991: 66). Securitisation therefore conceals 'the inherent insecurity in any referent object... the *impossibility* of security' (Edkins 2002: 75).

Berman's account of human trafficking displays both aspects of the ontologisation of (in)security. Human trafficking is a threat to the state's symbolic powers of sovereignty, already eroded by globalisation. 'At this historical moment', she writes, 'forces associated with globalisation – regional integration, immigration, new forms of capital circulation – forge the appearance of a loss of individual and national control over the parameters of everyday life... sex-trafficking discourses rise in this environment and function, in part, as a site at which to assuage this sense of crisis and loss of control' (Berman 2003: 49). The other form of ontological insecurity is sparked by the presence of the Eastern European other in the midst of the European moral order. As Berman's discussion shows, the two takes on 'ontological (in)security' are not incompatible. How does an emphasis on metaphysical fears or anxieties triggered by the conditions of (post-)modernity relate to concrete (micro-)practices?

These approaches rely on an imaginary of the modern subject and an imaginary of what security is. Their importance for analysing discourses and practices of security is that of providing an imaginary framework within which symbolic practices can be deployed. It is an imaginary of ontological and epistemological security that confers consistency upon heterogeneous practices. The imaginary of ontological security holds these (micro-)practices together. The institutional positions of security professionals and discourses of elites are embedded in a shared imaginary of security that can create a consensus about and acceptance of security practices.

Experiencing (in)security: the real of the subject/object

If security constructions invoke – implicitly or explicitly – an imaginary of ontological security, an imaginary of expectation that security can deliver, they do so by a long

historical process that has constituted the modern subject. This macro-constitution of the subject needs to be duplicated by a subject constituted by micro-practices. The subject of security has not however surfaced in many of the security debates. In the CoS definition, securitisation is a *topological* move from the realm of normal politics to extraordinary politics, made possible by the construction of an existential threat to a *referent object*. Referent objects are 'things that are seen to be essentially threatened and that have a legitimate claim to survival' (Buzan et al. 1998: 36).

This limitation of constructivism as reifying (one of the reifications being the state) has attracted a lot of criticism (e.g. McSweeney 1999). Although the CoS have rather convincingly argued that bracketing some processes of social construction in order to analyse others is a legitimate move, the answer to Campbell's charge against a constructivism of 'volitional actors' would be more difficult. Securitising actors behave rather like rational actors and cannot but do so, in the absence of a theorisation of the split subject, such as Althusser's theory of ideology, Foucault's theory of power or Bourdieu's theory of *habitus*. The state itself is both an actor and an object of security. Yet, poststructuralists have shown that the state is continuously reproduced through performative constructions of danger (Campbell 1992).

The predominance of the state in security stories is due to how the meaning of security has been tied to a historically specific form of political community (Walker 1990: 5). As states are still very much with us and quite visible actors on the political scene, it is therefore hardly surprising that they dominate our understandings of security. The state has thus been the referent object *par excellence* of security. Whether one explains it historically or simply by the weight that states still have nowadays, state security crosscuts various schools and approaches to security as a major concern. Other referent objects (societies, nations, ethnic groups, and the environment) have been simple additions to the state rather than a challenge to its primacy. Their survival could be meaningful only if the survival of the state was taken for granted.¹⁷

¹⁷ Ethnic conflicts or security concerns around identity, religion, cultural differences are treated in the literature within the framework of the given state, under the imperative of state security.

The individual has been relegated to the background of security studies given the same assumption of the primacy of state security. States have been considered the guarantors of individual security too, but where individuals could only count as a collective, as an aggregate rather than as specific individuals. Even in this account, the state can become problematic as a referent object when we are dealing with competing securitisations, when the state itself becomes a threat to its citizens. The problem of the primacy of state or of the individual cannot, however, be given in such general terms. The differentiation between the state and the individual as legitimate objects of security is not pertinent as 'the state is not only expected to ensure the institutional survival of the community but also the personal survival of each of its members' (Bigo 2001a: 134).

Foucault has analysed the advent of the biopolitical state and the change in the development of the modern state from what he called the 'city-citizen' game to those of pastoral care of life and the living (Foucault 2000b). The state not only assigns membership in the political community and ensures the survival of the community, but is also in charge of the well-being of individuals (or of categories of the population). The governmental practices of the state are to reach citizen in their individuality and totality, *omnes* and *singulatim* (Foucault 2000b). Yet, as part of this process of securing the individual, the state permanently draws boundaries, creating categories of individuals who are to be protected at the expense of the exclusion and elimination of others. In Dillon's formulation, the 'continuous biopolitical assaying of life proceeds through the epistemically driven and continuously changing interrogation of the worth and eligibility of the living across a terrain of value that is constantly changing' (Dillon 2005: 41). National Socialism was an extreme example of how the protection of the population, its good and fit life entail the disqualification of other forms of life and the elimination of other individuals.

Trafficked women would appear as this form of disqualified life. Critical scholars have challenged the disqualification and abjection of life that security entails and have counterposed the human being to the state, asking the question of primacy: who is the primary referent object of security, 'is it states, or is it people? Whose security comes

first?' (Booth 1991: 319). Critical Security Studies¹⁸ and feminist security studies have promoted the individual as the legitimate referent object of security and tackled the issue of inclusion/exclusion and concurring vs. competing securitisations. These schools emphasise a normative concern with the individual driven by the concern that state security is not synonymous with the security of everybody living within the state. CSS introduces the question of 'whose security', promoting the individual as the legitimate referent object of security.

The Welsh School take seriously the injunction that security should be about 'real people in real places' (Booth 1995: 123) and add that one cannot separate individual security from the wider social context (Wyn Jones 1999: 117). As Wyn Jones has pointed out, Booth is not concerned with an abstract liberal individual, but understands the individual in her corporeal, material existence and experiences (Wyn Jones 1999: 115). Here Critical security scholars are closer to feminists than to the fashionable supporters of human security because it is on the basis of these experiences of exclusion that a certain individual can be turned into a legitimate subject of security.

The previous chapter has shown that accounts of human trafficking as 'human rights violations' attempt to bring to the fore women's suffering and portray real-life victims who would be able to support a different representation of human trafficking. Women's experiences of violence and exploitation are supposed to buttress an alternative account of security, promoting them as legitimate referent objects.

If Tony Blair took a short stroll from Downing Street to Soho, the heart of London's sex trade, he'd find human rights abuses right under his nose every bit as terrible as those in Iraq. Increasingly, coercion, human trafficking and violence dominate the UK's sex industry. Yet strangely, this domestic human rights issue fails to arouse crusading zeal.

¹⁸ Critical Security Studies with capital 'C' has also been named the Welsh School given the location of Ken Booth and Wyn Jones at the University of Aberystwyth (Smith 2000).

Stories surfacing from these women are barely credible in 20th-century Britain. Last year 'Natasha' gave evidence against a pimp. Aged 15, she had been forced to have sex with customers for 20 hours a day, earning her 'owner' pounds 500 a day. She'd come from a broken and impoverished home in Romania, been tempted by offers of a better life, and ended up trafficked via the Balkans to sex slavery in London. A similar recent prosecution of two Albanians for trafficking, rape, indecent assault and drug possession revealed another Romanian girl, 16-year-old Anna, who had been sold at 12 and trafficked via Macedonia to London (The Guardian 26 March 2003).

Faced with stories of victimisation and human rights violations, the answer to 'whose security?' seems straightforward: trafficked women. This question only makes sense if it is fully formulated, 'against whom are women to be secured?' Formulated as a security issue, human trafficking sets competing referent subjects against each other. Women are to be secured against the 'evil' trafficker but cannot be secured against the state which chooses to deport them. Berman, for example, analyses discourses of trafficking as a threat to the state. For her, [i]t is the particular combination of the movement, 'race', and gender of migrant East European sex workers that in part disrupts the ability of the state to adjudicate membership in the political community – a combination that makes them an external and internal threat to the nation and the state' (Berman 2003: 59). While human trafficking seems to be more of a threat in the symbolic order, Berman acknowledges that trafficking in women also represents the threat of the other in the midst of the European social, political and moral order. State and identity are the referent objects that these authors consider. Berman equally tries to turn the tables on the arbitrary construction of the dangerous other by advocating 'human security', the individual as a referent object.

Other CSS scholars are less sensitive to the problem of 'which individual' is to be considered in relation to security. Krause advocates human security as the security to be analysed, given that the 'new security threats' are actually threats to the material well-

being of individuals rather than to states or large human collectivities as the CoS has claimed (Krause 1998: 310). However in the edited book on Critical security, Krause and Williams refine the understanding of the individual and consider three possibilities (Krause and Williams 1997: 43). The first one takes 'individuals as persons' as the object of security and to focus on the promotion of human rights, protecting persons from each other and from state institutions. The second concerns 'individuals as citizens' and sees threats to individuals coming from the institutions of their own state. The third analyses human security in terms of membership in a 'transcendent human community with common global concerns'. In the face of threats such as environmental ones, the individual can be secured only by securing humankind as such (Krause and Williams 1997: 44-45).

Feminist security studies have been mostly concerned with those who cannot voice their security concerns, those 'whose experiences of danger and violence are written out of the account' (Pettman 1996: 98). They have either set out to make such concerns audible from specific loci or have advocated, more generally, the diminution of all forms of violence (Tickner 2001: 143). They have tirelessly interpellated those whom Cynthia Enloe metaphorically calls the 'margins, silences, and bottom rungs' (Enloe 1993: 186). Christine Sylvester has argued for privileging the 'profoundly mundane' and women's experiences of insecurity (Sylvester 1994, 1996). The little mermaids with silent security dilemmas, to paraphrase Lene Hansen's famous critique (Hansen 2000) of the CoS, is the phrase that sums up those who been ignored, those who cannot utter their security concerns, They are the ones that need to be brought into the limelight of security.

Unlike feminists and CSS, the proponents of the very fashionable concept of 'human security' stick with an abstract individual who is granted minimum standards of human rights, at the expense of an analysis of practices of violence and exclusion. They place common humanity rather than *raison d'Etat* at the core of normative concerns, implying that security of the state is not necessarily synonymous with the security of

everybody living within the state (Poku and Graham 2000: 13).¹⁹ In a human security approach, trafficked women would be granted rights to shelter, justice, food, medical assistance. The human security paradigm attempts to take security beyond the limits of the state. Unlike the feminist analyses of the limited remit of security and locations of numerous sites of insecurity, human security applies to a generally abstract subject. A concept of human security would restrict, for example, the possibilities of understanding the insecure and insecurity status of trafficked women in relation to the state. While all women would be granted shelter, food and medical assistance if they contact the police, it would be for a limited period until deportation. Other rights would only be granted if women are supportive and give evidence against their traffickers. These contradictory techniques are dependent upon the contradictory status that trafficked women hold within the state.

Berman has captured an interesting dichotomy, the split condition of the trafficked women between 'as if' citizens and not-citizens. As 'white women', East European sex workers are at once identical to the 'white' women that the state is supposed to protect. As illegal immigrants and workers, they are 'different' from citizens and therefore to be deported (Berman 2003: 54). She also provides the other facet of the relation between state and individual as referent objects of security when she argues that the discourses on human trafficking result in an attempt to 'reinvigorate the state as the defender of the "white" women, punisher of illegal immigrants and criminals and protector of the political community' (Berman 2003: 64).

The poststructuralist proviso to the analysis of referent objects as undertaken by CSS and some feminists would be that '[referent objects] do not exist independently of discursive articulation, it is through discourse that security is defined, and where actors successfully manifest their position and capacity' (Hansen 2000: 288). In what was supposed to be a summary of the CoS position, Hansen has taken them further down along the poststructuralist path than they have gone themselves. Although in the debate

¹⁹ For the purposes of this chapter, I do not engage with the debates about the concept of human security, but simply rely on a contradiction that the concept cannot capture.

on the reification of objects of security, the CoS would endorse the constitution of these objects in discourse, they have not taken this assumption to its logical end. On the contrary, they have decided that given that identity construction is a long process, at a certain moment in time, states, nations, ethnic groups can be taken as given. The argument offered basically acknowledges the 'constructed' nature of the referent entities, yet continues by defending their reification into 'sedimented' and 'petrified', or 'thingish' objects (Behnke 1999: 6)

They have ignored here the temporal dimension of performative speech acts. Campbell's seminal book, *Writing Security*, has made explicit the iterative character of performativity. 'For the state, stasis equals death', he argues (Campbell 1992: 8). Security practices will thus reproduce an unstable identity at the level of the state, and the containment of challenges to that identity (Campbell 1992: 78)²⁰. As identities are performatively constructed in the securitising process and posts, poststructuralism moves away from the traditional concern with the *a priori* assumptions of agency and pre-given subjects to the problematic of subjectivity and its political constitution (Campbell 1998a: 222). Security and subjectivity are intrinsically linked, given that securing something requires its differentiation, classification and definition (Campbell 1992: 253).

Poststructuralists, however, remain evasive on the subject that they consider. Many emphasise, in the wake of Connolly and Campbell, the constitution of identity/self through the exclusion of difference/other and the reproduction of identity. However, the 'other' they envisage is mostly a derivative of the constitution of 'us'. Even assaying the worthiness of life by biopolitical practices appears as a consequence of the 'political rationality' of the state. In Campbell's analysis of how American identity is reproduced through re-writings of dangers, the others who are written out as dangerous, abnormal, risky are 'faceless faces', substitutable to one another. Different others succeed one another, subjected to the need of identity reproduction. The long march of others is not without effect on the constitution of identity. The others who are excluded and made abject create – by means of negation – a specific imaginary of identity. Others are not

²⁰ Cynthia Weber sets out a feminist interpretation of performative identity in IR (Weber 1998).

random others, but those who, in certain historical configurations, negate the imaginary of the self. The identification of the self takes place 'through a repudiation which produces a domain of abjection' (Butler 1993: 3). It is this imaginary of the self, of the modern subject that poststructuralists have challenged. For Rob Walker, it is only in the context of the *subject of security* that

it is possible to envisage a critical discourse about security, a discourse which engages with contemporary transformations of political life, with emerging accounts of who we might become, and the conditions under which we might become other than we are now without destroying other, ourselves, or the planet on which we all live' (Walker 1997: 78).

Subjects of security would therefore need to take up the challenge of difference and re-evaluate their discourses and imaginary of security.

Such an account is vulnerable to the critique that it cannot discriminate between dangerous others and non-threatening others. The other is arbitrarily constituted as dangerous by the identitary requirements of the self, it is made abject, relegated to the "unlivable" and "uninhabitable" zones of social life which are nevertheless populated by those who do not enjoy the status of the subject' (Butler 1993: 3). The abject only exists as a constitutive outside (Butler 1993: 3), as the limit to the domain of subjectivity. And if the other voices her own security concerns as feminist security studies have suggested, this only serves to perpetuate a dynamics of insecurity. Security functions by explicitly securing the self/us (with the ambiguity implied in the impossibility of achieving a secure identity) and implicitly insecuritying others. The relation to the other has been at the heart of critical engagements with the effects of security.

Conclusion

This chapter has engaged with an extensive field of approaches to security to gauge their complexity, their problems and impasses. The problematisation of security has been

formulated in IR as reality vs. construction. Some theorists have considered security as an objective problem, similarly to how other literatures have read migration or organised crime. The only question that remains is how to deal with threats. For those who have problematised security as a matter of construction, security can be read as a problem constructed through discourses and specific practices. The CoS have emphasised discourses and the importance of 'speaking' security, while the Bourdieuean-inspired Paris School has embedded discourses in institutional positions. Security is a matter of symbolic struggles and not just performative discourses. Security has also been seen as a problem of how individuals relate to the world, how they imagine their position in the world and how the world can fall short of this imaginary. Ontological security has appeared as a useful explanation for the inflationary problematisations of security. Although an imaginary of security makes possible certain practices and discourses to be formulated and to thrive in the present context, it cannot be divorced from specific discourses and institutional struggles. These approaches remind us, however, of the 'promise of security', the imaginary of certainty beyond survival upon which political communities are built. The promise of security activates a certain understanding of order and of ordering things and people. This imaginary of ordering appears most explicitly in relation to the subject of security. The subject of security has often been seen as (s)he who is to be secured, made part of such an ordering.

Yet, this promise of security is made possible to the extent that other subjects are excluded from this ordering. Security practices create abject bodies, shadowy others are already prepared for elimination or neutralisation. Butler has summarised this contentless image of the other:

I have seen it [the abjection of bodies] in the German press when Turkish refugees are either killed or maimed. Very often we can get the names of the German perpetrators and their complex family and psychological histories, but no Turk has a complex family or psychological history that *Die Zeit* ever writes about...So, we get a differential production of the

human and a differential materialization of the human (Meijer and Prins 1998: 281).

The ordering of security based on a dynamics of abjection and of exclusion exposes the very promise of security as an impossible promise. The abjection that security does depends on the very imaginary of ontological security instantiated in symbolic practices, both institutional and non-institutional. The limit of security is the limit of the order that it defines, it is the limit of otherness. The conceptualisation of security with which analyses will work depends on the immanent relation between symbolic and imaginary practices which make possible the creation of spaces of abjection, of the indeterminate and shadowy limit of order and of all ordering processes. Can these spaces of abjection be undone? In different ways, critical security studies (I include here the CoS, the Welsh School, certain feminists and poststructuralists) have tried to replace and reformulate this promise of security. The next chapter will go on to explore how desecuritisation, emancipation, and ethics have reformulated (explicitly or implicitly) the relation to the other and how they have exposed the fallacies of the promise of security. The conceptualisation that I have proposed will also be transformed through the encounter with these attempts at unmaking it.

III. Unmaking security: desecuritisation, emancipation, and ethics²¹

Introduction

The previous chapter has shown that security functions as an institutionally embedded discourse that relies upon a promise and an imaginary of ontological and epistemological certainty. The argument of Chapter 2 was not, however, an attempt to propose a theory of security as theory assumes a prior objectification, but rather a conceptualisation with which analytical work can proceed (cf. Foucault 2000c: 327). This promise rests upon the exclusion and abjection of another, who is repudiated as dangerous or risky, turned into life which is not life and 'materiality' which does not matter (Meijer and Prins 1998: 281). The question that has emerged out of this conceptualisation of security – given the exclusionary effects of security in the ordering of subjects and objects – was how to unmake these practices. Spaces of abjection are created through symbolic practices (institutional and non-institutional, mobilising technologies, knowledge and language) and of an imaginary of security. The strategies that have emerged in the literature that can be seen as critically engaging with the effects of security do not share a conceptualisation of security or of its effects in creating spaces of abjection. Yet, in grappling with the effects of security, they transform the very understanding of security and make us aware of the impasses and insights that a politics that unmakes security practices, a politics out of security needs to consider.

The discontent with security can be understood in terms of its symbolic effects (as with the CoS) or its partiality, its limited and arbitrarily exclusive remit (CSS). For the CoS, securitisation entails a dynamics out of the normality of politics, a dynamics of urgency and immediacy. Therefore, the symbolic practices of security cannot be simply analysed in their emergence, but especially in the effects they entail for the political community. For

²¹ Earlier versions of parts of this chapter have been published in (Aradau 2004a, 2004b).

CSS, security is unequally allocated to just some. Against the constructions of security that privilege the state, Booth and his students argue for a focus on the individual as the subject of security. The security of the individual spans a large array of issues which affect prospects of a free life. Ethics has come to the attention of security studies as a radical way of reconceptualising the relation to the other. Its discontent with security is that formulated in the previous chapter, the relationality to the other that security entails. The ethical approach has not created a school, but has rallied different poststructuralist writers at different times – ethics is not a constant in their research, but a theoretical engagement with the question of subjectivity. Campbell for example has been mostly concerned with analysing security discourses. His encounter with the work of Jacques Derrida and Emmanuel Levinas has led to a couple of books and articles which have embraced the ethical turn. Similar encounters can be found in the work of Dillon, Connolly, or Jenny Edkins.

The ethical turn reconfigures the relation between self and other in terms of responsibility. Ethics becomes integral to subjectivity (Campbell 1998b). The ethics that I focus on in this account is of Levinasian and Derridian inspiration. In his book on ethics, Alain Badiou has distinguished two types of ethical approaches: the first one of Kantian inspiration, with a conception of the subject of moral law as universal and context-free and the second promoting an ethos of the other (Badiou 2002a). While human security approaches can be seen as partaking of a Kantian 'ethics of the same', sameness is problematic for security. As security creates and repudiates spaces of abjection, sameness is *a priori* ousted from its practices. An ethical approach able to unmake security practices can only be an 'ethos of the other', an ethics that radically reshapes the self/other relationality.

This chapter will link some of these theoretical insights to the practical formation of the humanitarian approach to trafficking. While the three strategies located in this chapter are not the only forms of thinking politics out of security, I am discussing them together as they all speak to the human rights approach. This critical travelogue needs to also discuss strategies of critique and resistance inspired by Foucault. Yet, these strategies do not

Speak directly to what the proponents of a human rights approach attempt to do, they point to other modalities of critically engaging with practices of security that will be tackled in Chapter 4. The human rights approach was imagined as an alternative representation grounding different political interventions from the dominant ones – illegal migration, prostitution, and organised crime. I am interested in whether this approach can be seen as an alternative intervention to the dominant security practices. In order to explore the implications of these strategies for unmaking securitisation, I shall consider the human rights approach as interweaving a strategy of desecuritisation, of emancipation and an 'ethics of the other'.

Although a classical human rights approach would appear at first sight to partake more of an ethics of sameness, the humanitarian approach to trafficking can be seen to partake of these three strategies. The subjects of trafficking are not abstract subjects of rights. Human rights approaches have put forth a strategy that can only make them equal through dis-identification from categories of dangerous abjects. This strategy of dis-identification requires an alternative discourse that represents trafficked women as a different category. In formulating an alternative discourse to the discourse of illegal migration, this strategy can be read as an attempt at desecuritisation. Similarly, the focus on the plight of trafficked women shifts interest from the state – at least potentially. Trafficked women become part of a process of emancipation as defined by CSS. With the help of NGOs and other specialised organisations, women can build another future, a future of security away from exploitation and vulnerability. The new identification of trafficked women with bodies in pain reconfigures the self/other relationality. How does one relate to the suffering other? One can pose this question in terms of an ethos of the other.

If the first three sections of the chapter are dedicated to a theoretical exploration of these three strategies (desecuritisation, emancipation, and ethics), the last section will try to understand in what sense the failure of the humanitarian approach can mean a failure of these strategies too. In the CoS framework, desecuritisation remains the prerogative of political elites and it is unclear how moving issues from one agenda to another would

affect the 'everydayness' of subjects (Huysmans 1998a). Emancipation, as used by CSS, tries to claim a different concept of security (emancipation is security in Booth's formulation) from state-led security practices, but it is unable to account for this very conceptual difference except by choosing other subjects as referents of emancipation/security (e.g. migrants). The ethical approach raises the issue of devising alternative concepts that could be mobilised politically. The theoretical problematique will be brought to speak to a particular situation. How can these theoretical strategies orient themselves to practice?

Desecuritisation and alternative discourses

The CoS represent the most immediate and direct engagement with a strategy as the one employed by NGOs and human rights activists. They attempt to contest and replace the security speech act by other speech acts that emphasise the suffering of victims of trafficking and their particularity. Although one could also open up the strategies through which these speakers of human rights enter the field of security professionals, the speech act, the consistent discourse they produce is most important for understanding their strategy. The veracity and poignancy of a discourse of suffering has led to increased attention to the well-being and life of victims of trafficking.

The CoS have, however, had an ambiguous theoretical position about whether/when desecuritisation should replace securitisation, despite some of their concerns with the effects of securitisation. For Waever the choice between the 'dubious instrument of securitisation' and desecuritisation is not altogether clear (Waever 2000: 285). Securitisation appeared at times as a very effective tool to make sense of several developments in the field of migration, refugee and asylum policy and even environmental policy. More often however, the CoS have expressed a preference for desecuritisation as being '*more effective* than securitising problems' (Waever 1995: 57/emphasis in original). Although Waever has not specified the grounds which motivate the choice of desecuritisation over securitisation, Huysmans has read 'effective' in instrumental or utilitarian terms (Huysmans 1998a: 572-573). Yet, it remains unclear in exactly which

sense desecuritisation is more effective, especially given the attention-catching potential of securitisation that they emphasise. Arguments of effectiveness have also been made in favour of securitisation. In a recent discussion of the ethical issues raised by the securitisation vs. the desecuritisation of AIDS, Stefan Elbe has listed as the first advantage of a security approach the mobilisation of more political support and economic resources for addressing the AIDS pandemic (Elbe 2005).

The ambiguity about the need for desecuritisation appears to me to reside in the analytical duality of the concept of securitisation. Firstly, in line with the 'linguistic turn' in social sciences, securitisation is a performative speech act. Moreover, successful securitisation is a felicitous speech act such as the felicitous naming of ship or performing of a marriage. As a speech act, it is defined by a specific structure internal to discourse (survival, priority of action 'because if not handled now it will be too late, and we will not exist to remedy our failure') (Buzan 1997: 14). Secondly, securitisation is also defined by the 'extraordinary defensive moves', the emergency actions undertaken by institutions and various security actors. Successful securitisation implies extraordinary measures, a breaking of 'normal political rules of the game (e.g., in the form of secrecy, levying taxes or conscription, placing limitations on otherwise inviolable rights, or focusing society's energy and resources on a specific task)' (Buzan et al. 1998: 24).

For those who link security with the military, expanding the concept can lead to a 'militarisation' of social relations. Discussing the expansion of threats to the environment, Simon Dalby has voiced this misapprehension that one would only militarise society further rather than dealing directly with political difficulties (Dalby 1997: 5). In the CoS assessment, securitisation is *at best*, 'a kind of mobilization of conflictual or threatening relations, often through emergency mobilization of the state' (Buzan et al. 1998: 8). The other misapprehension regarding the expansion of security refers to the social relations that securitisation brings about in a political community. It is the spectre of violence that the definition of securitisation invokes. Violence becomes a permanent possibility in a society that defines itself in terms of conflictual relations, reminding us of the

contradictions of the promise of security. The imaginary of security does not sustain the identity of the community, but necessarily places it in a dynamics of violence.

The concrete and specific measures that are involved in successful securitisation raise the issue of normal vs. exceptional or extraordinary politics. It is in relation to the procedural 'normalcy' of democracy that the 'exceptionalism' of securitisation can be theorised.²² The element of urgency takes securitisation out of the realm of normal politics. Securitisation re-inscribes issues in a different logic, a logic of urgency and of extraordinary measures, a sibling of the logic of 'political realism' (Huysmans 1998a). This approach takes securitisation on a different path than the more benign one to which the CoS were attracted, namely the 'tactical attractions' of securitisation. Security does not simply function as a way to obtain sufficient attention (Buzan et al. 1998: 29). It is rhetorically modelled upon war.

As securitisation means 'that an issue is presented as an existential threat requiring emergency measures, and justifying actions outside the normal bounds of political procedure' (Buzan 1997: 14), desecuritisation becomes an ethical-political choice which upholds the values of a democratic regime. Andreas Behnke has read the CoS's preference for desecuritisation in similar terms: 'Given that this move suspends the usual democratic process, securitisation constitutes a highly problematic strategy which should be avoided' (Behnke 2000: 91). The 'anything goes' for a higher common good can only be dangerous for a political tradition of freedom and democracy. Waever has however rejected this location of securitisation in a democratic context, claiming securitisation as a more general tool.²³ Contra Waever, I would argue that without a normative assumption about 'normal politics', the effects of securitisation cannot be assessed as good or bad. Moreover, without keeping this normative distinction, the CoS would lose the very specificity of 'securitisation', which they have proposed as a sharper analytical tool. Why securitisation and not just a normal practice of an authoritarian regime? Or illiberal

²² On the exceptionalism of security according to a Schmittian logic, see especially Huysmans (1998a, 2004) and Williams (2003).

²³ Personal communication with Ole Waever, Paris, June 2005.

practices of liberal regimes? The specificity of securitisation they want to preserve cannot be disentangled from a specific understanding of normal politics as democratic.

Mike Saward has identified political equality, inclusion, expressive freedom and transparency among the contested principles that make up a democracy (Saward 2003). He has also emphasised the proceduralism of these principles, the fact that they need to be embedded in practical institutions and processes (Saward 2003). In an incidental definition of politics, Buzan and Waever also remark that '[i]deally, politics should be able to unfold according to routine procedures' (Buzan et al. 1998: 29). Huysmans has commented that security institutionalises speed against the slowness of procedures and thus questions the viability of deliberation, contest of opinion and dissent (Huysmans 2004b). While the securitising speech act has to be accepted by a relevant audience and remains within the framework of the democratic politics of contestation, the exceptionality of procedures is its opposite. The speed required by the exceptional suspends the possibilities of judicial review or other modalities of public influence upon bureaucratic or executive decisions. Securitisation re-inscribes issues in a different logic, a logic of urgency and exceptionalism.

As securitisation is not simply a speech act that stages a narrative of survival in order to attract attention, but an enactment of exceptionalism in political life, questions about what type of politics we want need to be asked. The exceptionalism and decisionism of securitisation activate a Schmittian politics. The specificity of security as a 'particular kind of speech-act in the work of the Copenhagen School is underpinned by an understanding of the politics of enmity, decision, and emergency which has deep roots in Schmitt's understanding of political order' (M. C. Williams 2003: 515). Huysmans has also forcefully argued that securitisation leads to a re-ordering of social relations according to the logic of 'political realism' and has defined it as a 'technique of government which retrieves the ordering force of fear of violent death by a mythical replay of variations of the Hobbesian state of nature' (Huysmans 1998a: 571).

The duality of securitisation as a speech act and extraordinary measures creates tension at the core of the concept of securitisation, to be replicated in desecuritisation.

Williams has located the political potential of the CoS in the discursive construction of security: an ethics of argumentation would be the antidote to securitisation (M. C. Williams 2003). Speech acts, whatever their structure, are in a certain sense ordinary in their functioning: they need to be reiterated, are open to contestation and can be replaced. Desecuritisation becomes a matter of different speech acts, which one could privilege depending on external, pragmatic criteria, for example 'how much attention we want to capture for an issue.' Such contestation of a securitising speech act would be consonant with the democratic politics of transparency and public scrutiny. However, when one takes into account the extraordinary measures and exceptional politics that securitisation is steeped in, desecuritisation can only be regarded as a political choice restoring democracy. The question of desecuritisation becomes one about the kind of politics we want. Do we want politics of exceptional measures or do we want democratic politics of slow procedures which can be contested?

Although the CoS envisage securitisation as part of a critical project to shift the understanding of security from the traditional state-centric, military definition to a constructivist broader concept, they have been reproached exactly for the lack of a critical edge, for not engaging with the political implications of the concept.²⁴ This lack of a critical edge is especially manifest in the unwillingness to decide between the 'dubious instrument of securitisation' and desecuritisation (Waever 2000: 285). Despite misgivings about the effects of securitisation, Waever has formulated desecuritisation in the atheoretical terms of 'preference' (1999). This preference seems justifiable given that securitisation is often perceived as an innocuous tool which moves issues up the political agenda. In Buzan and Waever's benign formulation, '[s]ecuritisation has tactical attractions: as a way to obtain sufficient attention' (Buzan, Waever, and Wilde 1998: 26). Rhetorical strategisation takes over concerns with democratic politics:

²⁴ See the debate in *Cooperation and Conflict*, especially Eriksson (1999) and Waever's reply (1999).

In some democratic perspective, 'de-securitisation' is probably the ideal, since it restores the possibility of exposing the issue to the normal haggling and questioning of politicisation, but if one is actually concerned about something, securitisation is an attractive tool that one might end up using – as a political actor (Waeever 2000: 251).

As language functions similarly in all contexts, securitisation could be extended to all forms of political regime and community. Yet, there is more to security than just attracting attention and mobilising funds and the CoS seems wary of its 'ensuing effects' (Buzan et al. 1998: 32).

Emancipation and the democratisation of security

Emancipation is the concept that promises to enact a radical 'democratisation' of security. As we have seen from Saward's principles of democracy, political equality and inclusion are related manifestations of democratic practices. Emancipation radically tackles the concept of democratic politics and the issue of institutional authority in claiming a voice for the silenced, the 'security have-nots' (Dunne and Wheeler 2004), those who have been excluded from the remit of security. Critical security studies have tried to conceptualise emancipation as an alternative to predominant constructions of security. Even if CSS do not engage with the concept of desecuritisation, the two concepts are definitely related if only for their potential in establishing alternatives to particular social practices.

While for the CoS desecuritisation remains the prerogative of the political actors who 'speak' security and can formulate alternative discourses, emancipation is harnessed to those who are made insecure. Preserving the ambiguity of who is made insecure, feminists would be concerned with the emancipation of women, with uttering security concerns which have been silenced and critical security studies with those who are continuously being made insecure, be they women, refugees, or the poor. Although they do not explicitly consider the dynamics I have pointed out above, between

threatening/insecure other and threatened/insecure selves, I am interested in whether desecuritisation or emancipation could be adequate tools for tackling this dynamics.

The concept of emancipation is associated with the intellectual tradition of the Frankfurt School and a critical tradition of thinking social change and resistance. Despite this intellectual tradition, Ken Booth claims it is impossible to say 'what emancipation looks like, apart from its meaning to particular people at particular times' (Booth and Vale 1997: 110; Wyn Jones 1999: 121). Normatively, emancipation is intimately linked with the idea of moving towards a better world (Wyn Jones 1999: 120). For CSS, it remains a very general notion which can only be fleshed out by considering 'real people in real places' (Booth 1995: 123) and their insecurity predicaments. Booth is worth quoting at length here as he has written the first manifesto of CSS and formulated the concept of emancipation to be endorsed by his fellow critical security analysts:

Emancipation means freeing people, as individuals and groups, from the social, physical, economic, political, and other constraints that stop them from carrying out what they would freely choose to do, of which war, poverty, oppression, and poor education are a few. Security and emancipation are in fact two sides of the same coin. It is emancipation, not power and order, in both theory and practice, that leads to stable security (Booth 1997: 110).

The 'generality' problem of emancipation is solved by CSS not through recourse to various theories but by making it the equivalent of security. When equated with security, emancipation becomes problematic, as it can no longer envisage social transformations outside the logic of security. The Welsh School wants a radical alternative to state-centred security and proposes another type of security, defined as emancipation (or emancipation defined as security) at the level of the individual. The struggle for security is re-styled as a struggle for emancipation, without any qualms about the relationship between emancipation and security.

Critical scholars like Booth and Wyn Jones endorse both a CoS-type of approach to security and a normative usage where security is a value to be fought for. Booth has acknowledged that security has enormous political significance and to obtain an issue on the state agenda means to give it priority (Booth 1997: 111); on the other, security is emancipation as an ideal to be achieved. Or, in Wyn Jones' formulation, '[s]ecurity in the sense of the absence of the threat of (involuntary) pain, fear, hunger, and poverty is an essential element in the struggle for emancipation' (Wyn Jones 1999: 126). In line with this second meaning of security, Booth has pointed out that 'security studies need to engage with the problems of those who, at this minute, are being starved, oppressed or shot' (Booth 1997: 114). This understanding of security has steered their critical project towards the 'realities of security' that have been made invisible by 'the traditional mindset of those have dominated or disciplined International Relations' (Booth 2004: 8). Uncovering the realities of security (or rather insecurity) entails locating human rights abuses, the oppression of minorities, the powerlessness of the poor, and the violence against women (Booth 2004: 7).

These uses of security forget that security itself institutes a particular kind of ordering political communities and that it is important to be aware of the politics one legitimises by endorsing security. The equivalence of security and emancipation suspends the project of making the effects of securitisation explicit, of analysing its political effects and assumes 'security' is worth being achieved. CSS thus inadvertently endorse the exclusionary logic of security and the politics that is instituted by doing security, independent of which/who is the referent object or subject.

The dual usage of security makes the CoS partly right in arguing that CSS 'will often try to mobilize other security problems — environmental problems, poverty, unemployment — as more important and more threatening' (Buzan et al. 1998: 204), thereby reproducing the traditional and objectivist concept of security. The charge of 'objectivist security' is partly wrong because it fails to acknowledge that the CSS project is a political project, be it a normative one. It is not a question of saying what security is, but

of claiming security for those who are deprived of it. In this sense, CSS share a radically democratic political project with feminist scholars.

The security that is to be privileged, emancipatory security, is life-preserving. Both CSS and feminists often endorse a valuation of life beyond the violence of security, a 'realism' of life that would surpass the social constructivism of practices. Ann Tickner in the feminist camp has argued that 'we can no longer afford to celebrate the potential death of hundreds of thousands of our enemies; the preservation of life, not its destruction, must be valued' (Tickner 1992: 138). This valorisation of life can be read as a discourse of survival, as a biopolitics of the state that makes live and lets die. Yet, the valorisation of life as 'survival' suspends questions about 'how not to be governed thus' and lets the subject be captured by biopolitical practices of security. The life of refugees and asylum-seekers can be valued as they are provided with food, shelter, even medical assistance, but are in principle excluded from the political community. They are to be saved from sinking boats only to be deported to their countries of origin. By bringing the conditions of politics upon the pre-condition for acting as a political subject, the discourse of life preservation closes down struggles about the kind of life that people can live. The Foucauldian question 'how not to be governed thus' is also neutralised by a biopolitics of survival.

This point about the exclusion and the abjection constitutive of security has not raised many concerns as it seems obvious that vulnerable women would utter their insecurities against existing security articulations privileging the state or patriarchal power relations. While it has appeared almost self-evident to activists to point out these insecurities of trafficked women and to try to obtain protection for them (Jordan 2002), such a move of 'securing' the victims of trafficking has led to spiralling insecurity for prostitutes (now subjected to increasing raids, interrogatories, and incarceration) as well as for asylum-seekers and refugees (suspected of having been trafficked or of being exploited). The Schmittian politics at the heart of security will reiterate the logic of enmity against 'other others' and feminists, just like critical theorists, would need another concept

to ground their normative politics. Democratic politics is incompatible with the politics of security as we cannot all be equal sharers of security.

Reclaiming security as both Critical and feminist security studies do functions rather as 'counter-securitisation', as this move leaves intact the logic of security that shapes social relations. Equated with security, emancipation only shifts the remit of (in)security within the social realm and shuffles various categories of security have-nots. Individual or human security cannot be the answer of emancipatory politics, as this would trigger the question of whose individual security is supposed to be sacrificed. Who is to be made dangerous so that others be made secure, what forms of life are to be disqualified? On which grounds can one privilege such a construction of security, the security of migrants over the security of racists, the security of HIV-positive people over those at risk of being infected? The line of inquiry could be prolonged by many other examples. Huysmans has also argued that it is difficult to employ security in an emancipatory way in the context of societal questions, as 'the security formation in this field is a conservative one with strong roots in a 'vulgarised' Hobbesian version of the human condition' (Huysmans 2002: 60).

This insight was present in Booth's early accounts of emancipation. Emancipation, he has argued, needs to take precedence over concerns with power and order exhibited by security research given the inherent fragile nature of formations of power which are always at the expense of somebody (Booth 1991: 319). Although Booth does not take his formulation any further, the question that arises is whether emancipation can be at nobody's expense. Emancipation, as Laclau has formulated its traditional meaning, presupposes 'the elimination of power, the abolition of the subject/object distinction, and the management – without any opaqueness or mediation – of communitarian affairs by social agents identified with the viewpoint of social totality' (Laclau 1996: 1). Would the security that Booth equates with emancipation not be insecurity to others? While Booth's insight that the problem with privileging power or order is that they are at somebody else's expense, willing power away from security will not do lead to emancipation. Security cannot be the remedy to (in)security.

Like CSS, feminists raise pertinent questions about security practices and advocate the need to re-order unjust practices, and similarly, they also give in to the appeal of 'security' as the organising principle of this re-ordering (e.g. Tickner 2001). Rather than questioning the effects of security, many feminists have tried to use security for an emancipatory purpose. Bringing women into the limelight of security practices would supposedly yield more concern and therefore the possibility of taking extraordinary measures to re-write the script of the world in their favour. The question is whether, in having 'security' as the re-ordering principle of social relations, both feminists and critical theorists can account for the continuous insecurity of others, for the governmental practices that divide and categorise subjects.

If one considers the emancipation of trafficked women, the disruption of their insecurities is an admirable goal. Yet, turning trafficked women into referent objects often perpetuates a dynamics of 'insecuring' another. And if the other is taken-for-granted as being the trafficker (morally blameable), when 'other others' made insecure in the process of securing trafficked women are prostitutes or asylum-seekers, the necessity of an ethical-political principle to contest these practices is even more evident. Shifting subjects of security from one category to another does not suspend the logic of security. The limit which desecuritisating or emancipatory approaches confront is that of security as universal. Security would normatively be something which we can all partake of or share in. It is only by opening up the process and technologies of rendering secure that one can see how security functions and what kind of social dynamics it brings about.

Ethics and abject others

Against the insecurity dimension of alterity, ethics highlights difference and heterogeneity, it brings otherness into a relation of interdependence with the self and re-works security on an ethical basis. In an early work, Campbell and Dillon have formulated this 'ethical turn' as a response to challenges by the world we live in: 'We live in a time of doubt, paradox and difference' (Campbell and Dillon 1993: 161). An ethical approach would acknowledge that the world is other than we are ideologically induced to believe that the

world is. Their preference for difference is to be read in the same worldly terms, because 'the modern globalisation of human existence allows no one an escape from continuous encounter with otherness, however much the encounter seems to have intensified attempts to efface difference' (Campbell and Dillon 1993: 161). In a world of pervasive difference, the securing of the self against the other, the drawing of boundaries needs to be replaced by the recognition of and opening towards difference. Later on, Campbell's encounter with Levinas' philosophy entailed a rooting of ethics in ontology. Together with Michael Shapiro, he has argued for an '*ethical relation* in which our responsibility to the other is the basis for reflection' (Campbell and Shapiro 1999: x). Ethics as opposed to security would constitute the relation to the other on a different principle from fear. For Campbell and Dillon, for example, this principle is derived from Levinas' philosophy.²⁵

The transformed relationship to the other is based on a Levinasian infinite ethics of responsibility: '[r]esponsibility for the Other, for the naked face of the first individual to come along...' (Levinas quoted in Campbell 1999: 32). In a Levinasian world, security becomes an ontological impossibility given that the subject is constituted by the relation to the other, called into being by the prior existence of the Other (Campbell 1999: 33). Such an ethics is resonant with Campbell's concern with Bosnia as it implies responsibility for the plight of Bosnians, responsibility for the ones who are not immediately dangerous and who could be conceptualised as 'our neighbours' at the margins of Europe.

How does such an ethics respond to dangerous others? Campbell himself has remarked that the Levinasian logic is restricted to the neighbour, to an other defined by 'proximity'. Such proximity is defined by Levinas in terms of *Gemeinschaft*: 'my next of kin are also my neighbours' (Levinas quoted in David 2002: 85). Given the organic proximity of the other, the question of dangerousness is suspended. When faced with the idea of threat, Levinas is adamant that '[i]f self-defense is a problem, the "executioner" is the one who threatens my neighbour and, in this sense, calls for violence and no longer has a

²⁵ For a Foucault-inspired approach to ethics as 'aesthetics of the self', see Jabri (1998). The two approaches, an ethics of the self and an ethics of the other, cannot be, however, totally separated. The constitution of the individual as a moral subject of her actions is inseparable from action upon others. The injunction of the ethics of the other is ultimately an injunction to the self.

Face' (Levinas 1998: 105). The ethics of responsibility can be suspended when faced with dangerous others. Simon Critchley has formulated a sort of taxonomy of problems that Levinas' ethics entails: fraternity, monotheism, androcentrism, filiality and family (Critchley 2004). As it is impossible in the space of this chapter to thoroughly engage with the problematique of Levinas' ethics, my remarks will be limited to two aspects of ethical engagement: its relation to the dangerous other and (non-)embeddedness in power relations.

Richard Kearney has sharply formulated the theoretical impasse of the encounter with a dangerous other:

[H]ow are we to address otherness at all if it becomes *unrecognizable* to us? Faced with such putative indetermination, how could we tell the difference between one kind of other and another – between (a) those aliens and strangers that need our care and responsibility, no matter how monstrous they might first appear, and (b) those others that really do seek to destroy and exterminate (Kearney 2002: 10)...

Although one can debate Kearney's meaning of 'really', the dilemma he voices cannot be tackled from within Levinasian philosophy, given that his other as the 'Altogether Other' which transcends mere finite experience is the name for God.²⁶ The Levinasian ethics is 'the ultimate name of the religious as such' (Badiou 2002a: 23) and the ethical relation to the neighbour is modelled upon a theological relation with God. How can one interact with God or what happens if God is dead? What does this limit-interaction mean for politics?

Derrida has formulated an answer to this dilemma with the limit concepts he has devised for ethics. The role of such limit concepts (one could say similarly to Levinas' other) is to preserve the gap between politics and ethics, and make always room for a more generous form of politics. Radical concepts such as pure hospitality or forgiveness

²⁶ Kearney's answer to the question of indetermination takes him beyond Levinas and into hermeneutics (Kearney 2002: 10).

expose and challenge the limitations of a politics of migration or war for example. Any form of particular politics is a form of violence that distorts the 'unconditional' of politics. Beyond the restrictive understanding of hospitality as evinced by Kant's *Perpetual Peace* or by state practices that differentiate and divide among those who can be welcome and those who need to be expelled there is a concept of pure or unconditional hospitality.

The Levinasian/Derridean ethics as it has been used in IR has ignored Derrida's self-avowed 'political impracticability' of his absolute concepts. Derrida would simply claim that 'any politics which fails to sustain some relation to the principle of unconditional hospitality has completely lost its relation to justice' (Derrida 1994: 35). Democracy and justice are always 'to come', always differed by the impossibility of the ultimate encounter with God and the limit. Derrida's unconditional principles for politics cannot be restricted by any conditions, but they can also never be inscribed in the structures of the world, they can never come to be.

Such a conclusion does not directly shed light on any concrete situation. It does not speak to requests of a particular context and its injunctions need to be translated politically. Unconditional principles should not be contaminated by 'the historically restricted concepts of humanity, ethics, and democracy under which we presently labor' (Caputo 1997). Given, however, the 'unworldliness' of Derrida's concepts, such work of translation is arduous and has remained minimal in international politics.²⁷ Edkins' concluding remarks on an ethico-political decision against the technologisation of famine are that

[t]he decision itself is a terrifying nontime or nonplace, where there is no subject and where we are facing the traumatic real... We have to make a move for which there are no secure grounds. This moment is, nevertheless, something that we must face: the fact that it is undecidable is not an excuse for inaction' (Edkins 2000: 157).

²⁷ Campbell has undertaken such a work of translation in the case of Bosnia (1998b).

Undecidability avoids the closure of a situation. It avoids its ordering and thus also the horizon of security. What happens to change and transformation if we are caught in a permanent state of undecidability? While her remarks would be valid for any political decision, it is unclear whether there is no politics of famine, where there are no ethico-political decisions taken in this situation. In this sense, any political engagement in the situation of trafficking would always already fall short of the radical principles of politics. Yet, what the situation of trafficking needs is exactly decisions that reconfigure and take politics out of the grip of security.

Besides the injunction to become political, politics seems to be completely absent and impossible. As with Derrida, all decisions are doomed to fall short of the ethico-political requirement. And we remain unable to gauge whether one decision is preferable to another. Yet politics is always a matter of decision. As my discussion of Badiou in Chapter 5 will show, a political decision has to be made from the point of view of the undecidable. In a situation of undecidability, a decision is always necessary. What counts is what decision is taken – it is not the form of undecidability that is constitutive of politics, but the substance of the political decision.

From within a Derridean approach it is impossible to bridge the undecidable and the decision. Without some way of understanding how decisions can be taken 'ethically' when faced with the undecidable, decision becomes simply a matter of power. The question of decision is folded back either upon the Schmittian question of sovereign power revealing itself through the decision or upon the inescapability of power – any decision would be just part of the system of power relations and therefore depoliticising. Dillon is right to note that the political is always taking place in a space of undecidability which allows decisions to be taken without being certain which decisions are correct, as 'correctness' cannot be thought from within the situation (Dillon 1996: 199). There is also no metaphysical correctness that would bring us back to the Kantian ethics of the same. Yet, when exploring a political situation, it is possible to say that some decisions are 'correct'. We know what the right decision is.

What does undecidability mean in a fight for national liberation, in a struggle for women's rights or against exploitation? What does radical hospitality mean in the fight against fascism or racism? Critchley has defined political action, following Derrida, as 'the taking of a decision without any determinate transcendental guarantees' (Critchley 2004: 178). The impossibility of distinguishing between decisions appears even more strikingly when one encounters a concrete other and needs to distinguish between various others. As Žižek has made clear, Levinas himself succumbs to 'to vulgar commonsensical reflections' (Žižek 2004: 106) when asked to make this translation in relation the Palestinian/Israeli relations:

My definition of the other is completely different. The other is the neighbour, who is not necessary kin, but who can be. And in that sense, if you're for the other, you're for the neighbour. But if your neighbour attacks another neighbour or treats him unjustly, what can you do? Then alterity takes on another character, in alterity we can find an enemy, or at least then we are faced with the problem of knowing who is right and who is wrong, who is just and who is unjust. There are people who are wrong. (Levinas quoted in Žižek 2004: 106).

The same quote appears in David Campbell's book on Bosnia. Campbell sees the 'potential limiting of responsibility...in the passage from ethics to politics' (Campbell 1998b: 180). That is why Campbell needs to supplement Levinas by Derrida, to 'fold the ethical relation into the social effects of the ontologies of politics that harden skin and feign presence, so that the relationship with the Other that makes those effects possible, the state among them, is never elided' (Campbell 1998b: 182).

Contra the 'too transcendent' (Kearney 2002: 11) ethics of relationality/of pure hospitality, William Connolly has advocated a more mundane form of ethical relation, based on the recognition and reaction to the other's suffering. Connolly revisits an obligation to respond to suffering as formulated by John Caputo in *Against Ethics*:

'Obligation means the obligation to the other, to one who has been laid low, to victims and outcasts. Obligation means the obligation to reduce and alleviate suffering' (Caputo quoted in Connolly 1999a: 127). In this reformulation, unlimited responsibility becomes a tractable obligation for politics.

Ethics is no longer ontologically given, but is derived from an 'encounter with the world' and the other's suffering. I find Connolly's turn to suffering extremely interesting as a possible engagement with the consequences of security practices. If security is seen as suffering inducing, can an ethical relation that prescribes an obligation to alleviate suffering unmake security? Connolly is aware of the tenuous relation between the obligation to diminish suffering and the dangerous other.

Some of the most difficult cases arise when people suffer from injuries imposed by institutionalized identities, principles, and cultural understandings, when those who suffer are not entirely helpless but are defined as threatening, contagious, or dangerous to the self-assurance of these identities, and when the sufferers honor sources of ethics inconsonant or disturbing to these constituencies (Connolly 1999a: 129).

It is exactly these 'limit cases', these difficult cases for his ethics that Connolly leaves aside. Even when he argues that a mode of suffering needs to be moved 'from below the reach of justice to a place within its purview... [so that] the language of injury, discrimination, injustice and oppression can apply more cleanly to it' (Connolly 1999a: 143), his historical examples are carefully chosen: slaves, women, homosexuals. The status of slaves, women, homosexuals has not changed due to an obligation to alleviate suffering that became manifest at some point in time, but through their political struggles, through their irruption on the political scene and a claim to politics that was a formulation of the injustice to which they had been subjected.

If an obligation to alleviate suffering is to inform an ethical approach, a more radical question could be asked: what happens to the terrorist, the sexual abuser, the

illegal migrant or the trafficked woman? Or to Badiou's famous 'religious-corrupted-terrorist-polygamous' (1999)? Although Connolly chooses 'others' who have experienced suffering and domination in specific relations of power, the ethical relation does not engage with issues of representational politics or power relations. Ethics functions as an avoidance of power relations rather than as a direct confrontation with them. If an ethical approach presupposes a radical reconstitution of the world which would reshape politics, it is unclear how such a move can happen without an engagement with power relations. Yet, Derrida's messianic future can never arrive, unconditional principles can never be embodied in political communities.

Connolly's approach points to an ethics that can be processed in the world. How would the obligation to alleviate suffering function in a particular situation like trafficking? One can imagine that this obligation is mediated, fostered, processed differentially. Pity can be one of the means through which the alleviation of suffering becomes necessary and evident. Luc Boltanski has noted that certain types of suffering have surfaced at various epochs, while others have passed unnoticed and translates this insight into a practical task of those who convey suffering: to make it recognisable, to include it in a so-called *repertoire of recognisable suffering* (Boltanski 1999). Pity for certain categories of oppressed people could only be experienced at particular historical moments and not at others. 'Within the realm of political struggles the conflict of beliefs supporting pity...', Boltanski points out, 'corresponds to a conflict over the identification of the unfortunates whose cause is to be judged politically worthy' (Boltanski 1999: 155). Here we are faced again with Connolly's difficult cases, those who are dangerous, those who would be deemed unworthy of pity. According to Boltanski, pity cannot work on those who are deemed responsible for the ills that have befallen them or those who are considered dangerous to the community. Suffering must be undeserved and pity cannot be experienced towards the culpable and the dangerous. Only some forms of suffering and its bearers can be recognised as 'the other in me'. If pity can function as an ethical injunction to reconfigure the abject other, it has to become political, to engage in

contestations over the representation of its object and promote a credible and emotional depiction of suffering.

The next section will explore the humanitarian approach to trafficking as a form of ethical injunction (pity), an alternative discourse (desecuritisation) and a concern for the vulnerability and insecurity of individuals (emancipation). As the unconditional principles of ethics cannot engage with the world, I am interested in how a more practicable ethics that emphasises suffering can be processed and I shall focus on the strategies of pity as they have been formulated in the situation of trafficking. I shall argue that all three approaches are surpassed by the requirements of knowledge, by the governmental impulse that demands more and more knowledge about the 'abject others' than any of these strategies can offer. The space of abjection is not a space of shadows, a constitutive outside as Butler has suggested. It is actually a space of detailed knowledge about those who are governed as objects.

Three strategies, one (governmental) lack

The humanitarian approach to human trafficking can be addressed from within the three normative approaches discussed (desecuritisation, emancipation, and pity). Despite the CoS undecidability on desecuritisation, the human rights discourse can be seen as an alternative discourse to security, i.e. human trafficking as migration, organised crime, and prostitution. It proposes a different problematisation of human trafficking. This problematisation is purportedly emancipatory for trafficked women, who become the subjects of security, where security is understood in Tickner's life-preserving terms. At the same time, this strategy entails a new relation to the other, a relation that is being advised upon law enforcement and other authorities, as well as clients or generally the public who could encounter trafficked women.

Pity functions as an alternative discourse that would dis-identify women from the abject, the dangerous other, to re-identify them as bodies in pain. Dis-identification entails a reconstruction of security where women are subjects to be secured. Re-identification means the reconfiguration of the relationship self/other which can make the voice of the

other audible as 'the other in me' rather than as the dangerous other. Reshaping the relation to the other is, however, a minute work of details and representations. In the case of human trafficking, responsibility for the suffering other (in this instance, trafficked women) was supposed to ground a different politics from politics of (in)security. Thus, pity is a direct confrontation with representations of the dangerous other, which it tries to dismantle.

Pity has been advocated and practised by various NGOs involved in anti-trafficking campaigns with the explicit purpose of challenging practices that considered trafficked women as illegal migrants and foreign prostitutes involved in illicit affairs. Victimisation (in the sense of representing women as 'victims') was supposed to challenge what NGOs called the 'law enforcement' approach to human trafficking, which considered trafficked women as illegal migrants and quickly deported them, subjecting them to renewed suffering. Due to practices of re-victimisation by the state, victims of trafficking were thought either to fall an easy prey to traffickers all over again or to experience suffering and stigma when returned. Victims of trafficking, NGOs argued, were much more in need of rescuing rather than punishing; their suffering should be alleviated and not reinforced.

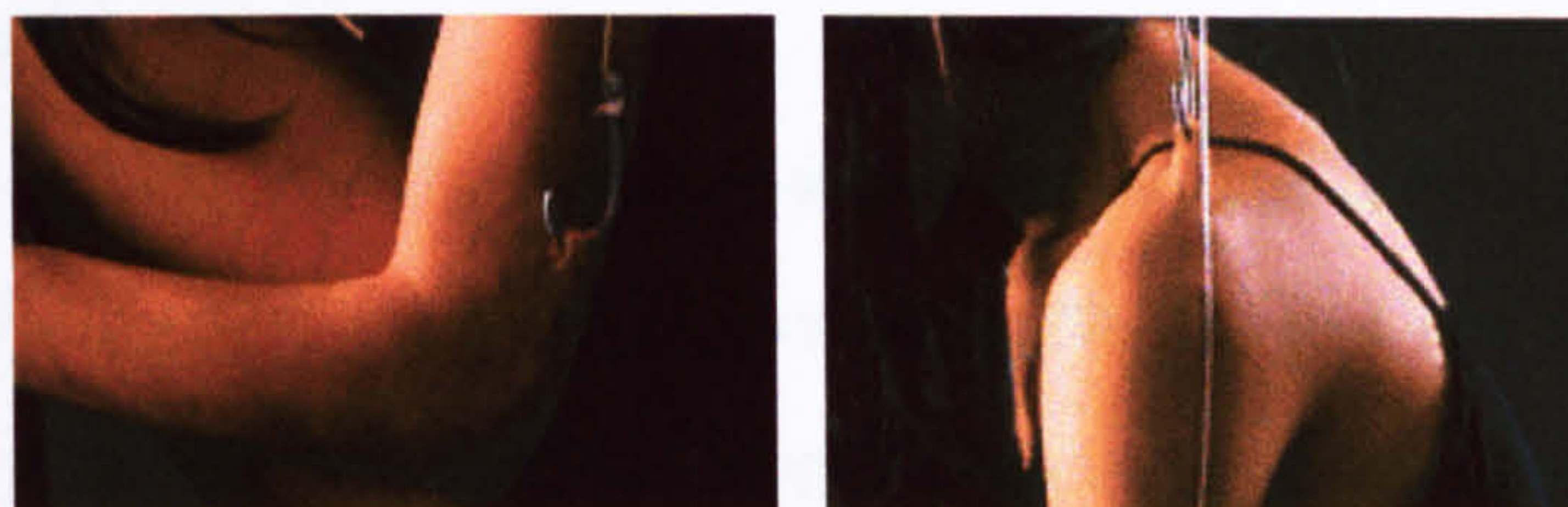
Pity was thought to disrupt the securitisation of human trafficking, which turns women into dangerous others as illegal migrants, prostitutes and/or criminals; it was harnessed to a re-structuring of social relations in the sphere of trafficking and envisaged specific interventions, different from the repressive and preventive strategies embraced especially by those concerned with migration and organised crime. Being intrinsically linked to emotions, to sentiment, the suffering of the victim is supposed to trigger direct reactions in the spectator, beyond other rational calculations. Pity has to engage in a detailed reconstruction of the object of pity, a different representation of the victim in order to instil the 'right' way to feel about the group of trafficking women.

To promote understanding and sympathy for their situation, these advocates will focus on the pain and directly physical suffering trafficking causes. The main purpose of these accounts is to promote identification with victims of trafficking in a way that crosses divisions preserved by the other approaches, to create an 'emotional contagion which

transmits the *sociable* from interiority to interiority' (Boltanski 1999: 82 emphasis in original). Sentimentality is in principle open to any form of distress. Although universalisable, suffering needs to be rooted in common sensibilities to create what Boltanski has called a community of 'visceral' reactions, which pre-exist their principled justification (Boltanski 1999: 54). The physical suffering of trafficked women is meant to trigger such visceral reactions, to function as a 'solidarity-inducing denominator' (Boutellier 2000: 68) and anti-trafficking campaigns have made extensive use of a symbolic of the body in pain, pierced, bleeding, defenceless. The suffering of victims of trafficking is made directly physical, linking up with the imaginary of bodily suffering. Different anti-trafficking campaigns have used this imaginary of the body in pain to create a reaction among the audiences.



(OSCE 2001)



(IOM 2000)

An ethics of pity is plagued, however, by tensions between the identification with universalisable physical suffering and the particular identifications of women. The strategy of identification with pure suffering functions as a strategy of dis-identification. Trafficked women have been subjected to cruelty and their undeniable suffering at the hands of traffickers makes them extra-ordinary, beyond the ordinary identifications with illegal migrants and prostitutes. Where their trajectory might have coincided with that of a migrant or prostitute, suffering is redeeming. Trafficked women are dis-identified from categories of migrants, criminals or prostitutes by the emphasis on physical suffering. Women who are trafficked into prostitution should not be deprived of their rights on grounds that they are undocumented migrants. The spectators' prejudices about or prejudgements on illegal migrants, prostitutes and criminals are suspended in the present of the politics of pity. To attract pity, women are to be made 'innocent' and not 'culpable', undeserving of suffering.

'Worthy of pity' suspends the official distinction between innocent and guilty women present in official discourses. For Willy Bruggeman for example, former deputy director of Europol, only a restricted category of victims are 'sex slaves in the truest sense' (Bruggeman 2002). Other victims have not been entirely coerced or deceived. Although some would never have imagined the slave-like conditions under which they would have to work, they knew they were going to be employed in the sex industry. Others thought they were recruited to work in the service or entertainment industry, but were instead forced into prostitution. As many of these women signed on to be illegal migrants or even to work irregularly as prostitutes, they are seen to be not (entirely) innocent and not deserving of pity.

And yet, not all victims have been redeemed by physical suffering, by the 'baptism of brutality' (The Evening Standard 10 October 2002: 16) that has turned them into embodiments of the suffering humanity. Despite these unifying representations of inflicted pain, not all victims have been physically abused, abducted and then repeatedly raped, beaten up, bodies burned with cigarettes ends. It is almost as if women need to be 'purified' through blood, as in the OSCE poster. If some women are 'innocent victims',

others would almost fit scenarios of receiving 'just deserts': their suffering incurred as a result of their reckless actions, i.e. undertaking a(n) (illegal) migration project. The ambiguities or inexistence of suffering – increased by the emphasis on consent and prior knowledge, which would make victims responsible for the misfortunes that have befallen them – often require supplementary strategies of making 'innocent'. Beauty and religiosity are mobilised as strategies to render innocent where raw, physical suffering is absent. Rescued by a reporter in London, Romanian Natasha is described in highly emotional terms:

A deeply religious girl, and stunningly pretty with dark blue eyes and beautiful olive skin, her hair braided into dozens of thin plaits like a foreign exchange student, Natasha knows that she shouldn't have come to Britain and blames herself for what has happened. Yet she still harbours dreams of Montreal and Marius. 'I just want to be an ordinary person,' she says, crying gently. 'A decent person with a man who loves me (The Evening Standard 10 October 2002: 16).'

The question of subjectivity does not receive a final answer either in the representation of bodily pain and physical suffering or of beauty. The art of government requires knowledge of the individuals it is supposed to govern. Who are the women upon whom pity should be bestowed? The confessional answer the women themselves provide, or the NGOs' semi-confessional answers need to be backed up by expert knowledge.

The question 'who are you?' can never be completely answered by the incriminated individual. Although the 'psychiatrisation' of criminal danger was based on procedures of confession, self-examination, and revelation, as Foucault has demonstrated at length, it also involved an expert assessment of the future risk that the individual could pose. Such a doubling of confession by the knowledge of risk was linked to the shift from thinking that punishment should answer the crime, to thinking of it as a mechanism in the 'defence of society' (Foucault 2000a). The question 'who are the trafficked women?'

needs a supplementary answer, an answer that would turn women into subjects that can be known and therefore dealt with on the basis of this knowledge.

We have already seen that an ethical approach encounters the limit case of those who are dangerous. Pity cannot work for those who are deemed responsible for the ills that have befallen them or those who are considered dangerous to the community. Rather, suffering must be seen as undeserved, since pity cannot be experienced towards the culpable and the dangerous. Similarly, desecuritising and emancipatory strategies also set a limit concerning the danger that the other can pose. If the other is constructed as a dangerous other, then the other is actually non-dangerous. Emancipation and ethics both work with this assumption of non-danger. The ethical approach is more interesting inasmuch as it is a reconfiguration of the relation to the other, a reconfiguration that is informed by different principles. Desecuritisation remains impermeable to the logic of security, to the relationality to the other that is instantiated through practices of security. Emancipation closes off the political potential of other concepts by claiming security as *the* concept for politics. While CSS try to universalise security and expand its remit to those who have been excluded, security enacts a relation to the other that subverts this attempt. Security entails practices that create spaces of abjection and only shifts the limits and boundaries between subjects and objects.

The elimination or alleviation of suffering is part of a process of governing, of social re-ordering, in which the causes of suffering are eradicated, dealt with or transformed. Suffering is meant to reveal 'a defect, a flaw, a disorder, a chaos in the organisation of society or the constitution of the individual' (Michaelis 2001). Disordered situations and disordered individuals become the two poles of intervention. In governmental terms such an intervention has not only to represent and, in this sense, constitute a particular situation, but also to confer particular identities upon its subjects. As Connolly has suggested, the subject worthy of pity needs to be divorced from a construction of danger. The most important task for the politics of pity is to identify suspected victims of trafficking by dis-identifying them from such a dangerous subject. To activate the spectators' pity, trafficked women must be specified as non-dangerous.

Foucault's analyses of the government of abnormals have shown how governmental interventions have become dependent upon the specification of the individual. Starting from the eighteenth century, punishment was no longer to be meted out according to the crime, but in close relation to the potential redemption and future danger of the individual (Foucault 1999). The invention of the 'dangerous individual', neither mad nor criminal, requires expert knowledge to decide on her identity. A governmental technology is therefore decided and depends upon a detailed description of the subject that would support the ethical assertion of non-danger by the solidity of knowledge.

Conclusion

This chapter has discussed three strategies for unmaking practices of security, desecuritisation, emancipation, and ethics. I have placed these strategies together as they all attempt to contest existing securitisations or constructions of danger and propose another mode of political/ethical engagement. Desecuritisation means an alternative discourse to security. Emancipation would entail the universalisation and democratisation of security. Ethics radically reconfigures the relation to the other. These three strategies encounter a theoretical and practical impossibility. Alternative discourses need different speakers. The CoS are at best ambiguous about who the speakers of desecuritisation would be. They are also uninterested in the effects of security in terms of practices of abjection. Desecuritisation tries to locate alternative discourses, on the model of Butler's non-authoritative subjects who can speak with authority. Butler's model remains however inadequate in the CoS framework as securitisation is restricted to a discourse about referent objects. Subjects enter the realm of securitisation only inasmuch as they are large groups such as society, nation, religious or ethnic groups. The speakers of security are also located among the elites, be these political or the new humanitarian elites. The abject who was Butler's model for resistance and 'speaking with authority' is absent from their definition of securitisation.

Emancipation makes the abject its concern and argues for the democratisation of security to all those who are outside its remit. It works with an assumption of the imaginary of security that can be stretched to encompass everybody. Yet, security embodies the promise of an always already limited universality. Groups, individuals, societies, states etc. can enjoy security only at the expense of others who either pose a risk to or disturb their normality. The emancipatory promise of security is translated into a competition between particularities: trafficked women or sex workers, illegal migrants or trafficked women, trafficked persons or asylum seekers. All these categories can become contradictory subjects of security constructions. Anti-trafficking strategies can infringe the rights of sex workers. Rights for trafficked women mean more surveillance of illegal migrants or asylum-seekers. A subjective politics that would replace expertise with silenced knowledges and lived experiences would seem to at least replicate a boundary and a limit of 'danger'.

Ethics reconfigures the relationality to the other on the basis of a different principle which would not entail the exclusion and closure of security practices. Infinite responsibility or pity try to ground different modes of relationality to another, independent of the other's particularity. The reconfiguration of relationality is possible for a whole array of subjects, excluding the dangerous ones. Recasting trafficked women as suffering victims deserving of pity cannot function until the question of dangerousness has been elucidated. Bodies in pain cannot be dangerous. Yet, bodies in pain do not tell much about the subjects to be governed and their actions. Particularity and representation are the premises of any governmental act. Particularity and representation are the substance of security, which makes possible the deployment of technologies and practices of control and risk management. Ethical principles need to be translated back into governmental technologies. Victims cannot remain pure presence, they must be known as subjects of government. Ethical approaches are therefore enmeshed in the social. Moreover, it is only in translating unconditional principles to concrete situations that one can gauge their disruptive potential or the rather unsettling possibility that they may be hijacked and rearticulated within existing relations of power.

However, these limitations do not obscure the important insights that these approaches offer. Waever implies the need for alternative discourses, although it remains unclear what the substance of such discourses would be, where they would be situated in relation to normal politics and who the speakers would be. As an analysis of pity has shown, the figure of trafficked women is at the centre of discourses that contest dominant practices of security. CSS seem to indicate – be it only implicitly – the need for a form of universality that would address everybody. Most importantly, unconditional ethical principles show that a different relationality depends on principles that are radically heterogenous to the state of the world. We have already seen that discourses of security exist within a web of symbolic practices and are ‘held together’ by an imaginary of a universal promise of security. The next chapter will follow up on the possibility of unmaking security by looking at what a theorisation of governmental security practices could tell us about the limits of the approaches discussed in this chapter.

IV. Remaking security? Practices, subjects, and resistance

Introduction

Although proposing different strategies of unmaking security, desecuritisation, emancipation, and ethics share a normative commitment to the possibility of replacing one security formation by an alternative discourse (desecuritisation), universal security (emancipation), or a different relationality to the other (ethics). According to Waever, a desecuritisng discourse can be uttered authoritatively independent of the speaker's position, allowing various actors to challenge the construction of security. Anti-trafficking NGOs have attempted to formulate a different discourse about trafficking, a discourse focused on the victims and the effects of state practices upon them. Booth and the students of the Welsh School more generally replace a securitising discourse by another, which shifts from the state to the individual, aspires to universality and is more just in its effects. Trafficked women can become the referent subjects of security through a normative engagement that is critical of the existing power distribution of security. The poststructuralist 'ethical turn' rethinks possibilities of relating to the other and posits responsibility or more directly pity as a replacement of security.

The discussions in the previous chapter have shown that the formulation of desecuritisng strategies is both theoretically and practically inadequate. With the CoS, it remains unclear what a desecuritisng discourse could be in relation to the exception and the extraordinary practices that security entails. Anti-trafficking NGOs have been unable to challenge the imaginary of the border, the imaginary of threat linked with migration. Returning women to their home country remains the main strategy to which other practices need to be adjusted. A holistic approach to human trafficking, as promoted by many NGOs, links up the victimisation approach to strategies of prevention which include return to the home country. Trafficked women are to be rescued only to be later on

deported. Moreover, the rights of trafficked women do not entail a more universal security, but have pernicious effects upon other subjects (prostitutes or asylum-seekers for example). The relation between a normative concept of security and the practices of security creates a tension at the heart of CSS. The ethical approach that places pity at the heart of a different discourse of trafficking engages with representations of the potentially dangerous trafficked women. Women are never indubitably non-dangerous and detailed knowledge about them is required to support the premise that humanitarian NGOs and activists try to promote. The question of unmaking security needs therefore to consider not just the discursive reformulation of the relationality of self and other, but its institutional mediation, the mobilisation of knowledge and the logic of practices that are deployed upon abjects.

The tension between the normative discourses and practices of security appears as a theoretical impediment to the formulation of a critical strategy. This chapter will consider this tension and reformulate it as a productive tension at the heart of governmental practices. Security is a process of ordering social problems, of governing 'problematizations'. I have already defined 'governmentality' as the description/representation of social problems and interventions to remedy them. Representations and rationalities on the one hand and interventions, technologies, and practices on the other will be considered as roughly synonymous. Rationalities are knowledgeable discourses that represent objects of knowledge, confer identities and agencies upon social and political actors, and identify problems to be solved (Dean and Hindess 1998a). Put simply, they are ways of thinking about a social problem that will make its management practicable. Technologies are the means of realisation of rationalities, the social practices which are aimed at manipulating the social and physical world according to identifiable routines (O'Malley 1992: 269 ft. 2). Governmental rationalities and technologies affect behaviour and 'construct' forms of ordered agency and subjectivity in the population to be governed as part of the social problem identified.

Considering security as 'governmental' is not a new strategy in IR. Bigo (1996; 2002), Campbell (1992), Dillon (1995b), Der Derian (1992), Huysmans (1998a; 2004a), for

example, have used concepts from Foucault's work on governmentality to creatively explore security practices. In a governmental approach, the normative discourse of security can be thought of as a permanent incentive for deploying technologies that will tackle social problems. The normative and the normalising are intrinsically related and not at odds as with the other approaches. As I have already suggested, this tension is productive and, in the phrasing of the second chapter, works with the tension between the imaginary of security and the symbolic practices of institutions. Rather than denying the tension or attempting to supersede it, the governmental approach is based upon it. It is the imaginary of security that holds together various practices and representations of social problems. Even if security practices appear to be insecurity rather than providing security, the imaginary of security transforms this failure into an injunction to invent new interventions and deploy different technologies to respond to a problematisation.

A governmental approach will also lead to a different understanding of what it means to unmake securitisation. In a Foucauldian reading of security, an emphasis on the practices of security and their effects in terms of subjectivation shifts 'politics out of security' towards practices of critique and resistance and not simply institutional struggles as in Bigo's Bourdieuean reworking of Foucault. This chapter will unpack what critique and resistance could mean for unmaking practices of security in light of the productive tension between the normative and the normalising. The possibilities of critique and resistance will be explored by a close engagement with the practices of security that govern human trafficking and the attempts to reformulate the description of the phenomenon.

The first part of the chapter will focus on security as a governmental dispositif of representations and interventions. It will show what the failure of subjects to be recognised as non-dangerous entails for the reconfiguration of relationality. Rather than non-dangerous, trafficked women are governed as subjects that embody a continuous risk. If practices of security are made possible by the description of subjects, the subject's resistance is a direct and immediate attempt to unmake practices of security that arises out of the tension between the normative and the normalising. The second part will

explore what resistance means in a governmental approach and will analyse its implications for women who resist security practices that govern human trafficking. The continuous deployment of security practices depoliticises women's refusal to be subjects of these practices.

Security as governmental: a topology of practices

The second chapter has shown that security has been mostly seen as part of the logic of war, survival, emergency and exceptionalism. To limit the expansion of the concept, the CoS have framed a different domain of security from the political – one linked with emergency and exception (Bigo 2002: 73). Yet, this limit of security is a non-sustainable limit. Securitisation is not necessarily framed as survival, but can also be cast as prevention of undesirable events. Prevention is for example an important element of trafficking, even if trafficking spans various practices. The survival of trafficked women is often at stake; yet, the threat of trafficking is not primarily about the danger to the other's life, but about its subversive effects upon societies and states. Restricting security to the sovereign logic of exception and war would mean endorsing what Der Derian has called the 'onto-theology of security; that is, the a priori argument that proves the existence and necessity of only one form of security because there happens to be a widespread, metaphysical belief in it' (Der Derian 1992: 74).

A Foucauldian analysis of the 'birth of governmentality' can analyse security practices as different from the sovereign 'discernment and implementation of inclusions and exclusions..., and, paradigmatically, according to the modern Hobbesian Carl Schmitt, with the friend/enemy distinction' (Dillon 1995b: 328). Security as governmental means the 'positing, ordering, and placing of all beings, here especially human beings as population, at the disposal of an enframing mode of representative-calculative order...' (Dillon 1995b: 330). Individuals or populations are ordered according to a norm against which deviations can be measured. Security implies 'counter-measures to deal with the danger which initiates fear, and for the neutralization, elimination or constraint of that person, group, object or condition which engenders fear' (Dillon 1995a: 161-162).

Governing human trafficking as a problem of security would entail the regulation and ordering of the behaviour of (suspected) victims of trafficking, traffickers, smugglers or other categories that could either become victims of trafficking or could encounter those.

Bigo has called this governmental approach a 'topology of security' harnessed to an analysis of 'practices of coercion, protection, pacification, static guard, control, surveillance, information gathering and sorting, information management, grid-like security cover, calming, dissuasion, locking up, turning back, and removal from the territory that are deployed by security agents (private or public, police, military police, or army)' (Bigo 2001b: 99-100). All these practices are practices of power or governmental practices inasmuch as they attempt a specific type of ordering of the *polis*, an ordering based on practices of inclusion and exclusion and imbued with a mimetic desire to make its members conform to ideal images of what they should be (Hindess 1998: 59).

As Chapter 2 has indicated, Bigo works within a mixture of Foucauldian - Bourdieuean tradition (Bigo 2000). As a reader of Bourdieu, Bigo analyses security practices as those existing in a specific field of security, formed by actors with a particular know-how and technologies, the 'security professionals' (Bigo 1996, Bigo, 2000). Such an analysis extricates security from a narrative of modernity that has attempted to secure the self at the expense of difference or from the narrative of a globalised world which is more permeable to difference and in which security would therefore be of the order of anachronism. Although Bigo is concerned both with the 'genesis of practices' (de Certeau 1990) within the field of security and a Foucault-inspired analysis of 'regimes of practices', he is less concerned with the abject-ifying effects of security practices. If a specific problematisation of security allows for a diversity of actors to intervene on the problem, beyond the security professionals, I am also interested in the effects of their interventions in the logic of practice. The definition of human trafficking as a risk to be prevented has allowed NGOs to enter the field of EU professionals, law enforcement, police and immigration and to propose different technologies to deal with trafficking.

Prevention creates a specific relation to the future, a future defined by potential 'dangerous irruptions in the future' which can be minimised or neutralised by intervening in

the present (Castel 1991). Risk requires the monitoring of the future, the attempt to calculate what the future can offer and the necessity to control and minimise its potentially harmful effects. Risk is important for understanding how security practices function because it has always been a way of ordering reality, of rendering it into a calculable form (Dean 1999a, Ewald, 1986, Ewald, 1991). It is exactly the calculability of risk that makes it interesting for governing society, as a strategy for managing societal problems. Risk introduces a particular expert knowledge in the field of security, the knowledge of preventing dangerous irruptions. Enlarging the definition that François Ewald has given of insurantal risk, risk is a 'specific mode of treatment of certain events capable of happening to a group of individuals' (Ewald 1991: 199).

Ewald's (1986) and Jacques Donzelot's (1984) genealogical analyses of risk have shown that risk provided a response to the problematisation of specific social and historical problems. Insurance provided an answer to the 'scandal of the poor' in the post-revolutionary French *République*, where neither political equality nor capitalism could (Donzelot 1984). Despite equality before the law and equal sovereignty, the poor had no property and were therefore forced to sell their labour. Yet, free access to work did not mean the end of indigence. The resolution of the social question – impossible through either political claims or economic measures – was given in the form of mandatory insurance. The wage system was the first form of collective risk insurance, guaranteeing rights, giving access to benefits outside work and protecting workers from the peril of indigence. In this context, other social problems of industrial modernity became governed by technologies of risk insurance. A rationality of risk could render contentious work accidents as something inherent to work, against which workers could be protected through insurance. Insurance risk becomes social and is deployed as a 'technology of solidarity' which makes accidents, unemployment and other social problems collectively borne through insurance (Dean 1999b: 140).

The domain of risk has long been co-extensive with the insurable (Ewald 1993). The solidarity that insurance risk was supposed to foster in a collectivity was simultaneously undermined by the division and classification of populations in high

risk/low risk groups. The marketisation of insurance has led to a process of 'underwriting security' by means of which an insurer analyses the levels of risk that a potential client represents and decides whether an insurance policy can be written (Lobo-Guerrero 2006). The moral hazard that a client can pose for an insurer is translated in a form of prevention in relation to social risks. If insurers take the moral measure of the individual they insure (Baker 2000: 569), risk prevention takes the moral measure of groups which appear to be at risk. The insurance industry depends on other institutions to police society and high-risk groups so as to reduce risks and make them profitable.

As a technology of governing social problems, risk management combines insurance and prevention. Risk prevention is based on practices of dividing and categorising social groups, while risk insurance is primarily a form of the statistical computation of probabilities. As risks are the effect of a 'combination of abstract *factors*, which render more or less probably the occurrence of undesirable modes of behaviour' (Castel 1991: 287), risk is doubly related to social problems and subjects. Risk prevention entails form of individual and group profiling, based on 'procedures for the allocation of individuals to risk groups, on a genealogical basis, in terms of a family history of illness or pathology, and/or on a factorial basis, in terms of combinations of factors statistically linked to a condition' (Rose 2001b: 8).

Formulated to tackle problems posed by 'dangerous individuals', delinquents, and criminals, risk prevention has borrowed heavily from the expert knowledge provided by psychology and psychoanalysis. The clinical practices of risk initially focused on the likelihood of a person (in particular, a mentally ill person) committing a violent act. If psychological *savoir* was taken out of the asylum and the clinic to govern the risk of dangerous behaviour of criminals, mental defectives, sexual perverts, and psychopaths, it has been extended to more and more 'marginal' categories, such as alcoholics, drug addicts, and children with learning disorders. As the authors of *The Psychiatric Society* have aptly put it, psychology colonised social life (Castel et al. 1982). Psychology and psychiatry have gradually taken up and transformed political, economic and social

problems, and have made these problems thinkable in new ways and governable by different techniques (Rose 1989: ix).

Castel has documented the mutation of social technologies that have minimised direct therapeutic intervention, supplanted by an increasing emphasis on a preventive administrative management of populations at risk (1981). Strategies of prevention are based on the assumption that if prevention is necessary, a danger exists, even if only in a virtual state before being actualised. As these correlations remain arbitrary and can only be proven *a posteriori*, dangerousness becomes 'a quality immanent to a subject' (Robert Castel 1981: 146). The virtuality of danger is related to specific individuals and groups who are to be categorised as 'high risk'. Although linked with the risk management of populations, preventive risk also involves a therapeutic objective in the administration of individuals diagnosed as pathological (Weir 1996: 374).

This double aspect, individualising and categorising, of risk technologies appears most explicitly in clinical risk management. Clinical risk, Weir has pointed out, 'breach[es] the distinction between disciplinary governance that acts on individual bodies and security governance that acts on populations' (Weir 1996: 382). It implements population-based calculations, forming risk groups by applying risk categories that divide the population and subsequently place groups 'at risk' under surveillance or treatment. These risk technologies are based upon a combination of the characteristics of individual case studies and observation of patterns in a population and the identification of associated risk factors (Lupton 1999: 63). Some groups are to be defined as 'high risk', with risk being defined as internal, due to their behaviour or biography, rather than external.

Clinical risk management mobilises psychological expertise to create risk profiles and contain the risk of various categories of people deemed to have mental and/or emotional problems. To statistical calculation, psychology has added a more important promise 'to provide inscription devices that would individualise such troublesome subjects' (Rose 1998: 74). Psychological expertise is needed to invent diagnostic categories, evaluations, assessments; it is needed to provide an individuated answer to the question at the heart of all acts of government: 'who are you?'. Risk subjectivities are constituted

through a combination of therapeutic interventions, pathological categorisations and a statistical calculation of the incidence of certain factors in a population group.

Risk prevention reveals an interesting dynamic between the groups 'at risk' and the calculation of 'high risk'. Clinical risk first locates a series of abstract factors that are responsible for the emergence of certain behavioural patterns, diseases, and mental disorders. According to this logic, it is possible to say that children of alcoholic parents are also 'at risk' of being alcoholic. By being 'at risk', they also pose a potential risk to the community, a risk related with all the 'disorders' of alcoholism. Those judged 'at risk' of being a danger to the community are subjected to therapeutic (e.g., counselling, self-help groups, support groups) and disciplinary (training and re-training) practices in an effort either to eliminate them completely from communal spaces (e.g., by various forms of confinement) or to lower the dangers posed by their risk (Dean 1999a: 189). The specification of subjects into categories of risk makes use of both insurantal and clinical risk techniques for group identification, exclusion and marginalisation.

What does the conceptualisation of security as governmental, as risk management mean for its unmaking? A Foucauldian analysis of practices implies a practice of critique to make explicit the regime of power/knowledge underpinning the construction of threats. Making explicit the 'constitution of authority' can however only function as an indirect strategy of critique. Bigo has argued that '[e]ffective challenges can only be indirect, by analysing the conditions under which the authority of truth is given to a discourse that creates the immigrant as an "outsider, inside the State"' (Bigo 2002: 66). A genealogical analysis of the practices of security and sovereignty can re-open and make contingent the assumptions with which securitisation works. Yet, showing the constitution of authority is not enough. In his analysis of 'What is critique?', Foucault has pointed out that critique functions in relation to practices of government that are unjust and 'hide a fundamental illegitimacy' (Foucault 1997: 30). The simple constitution of institutional practices cannot ground their critique. 'Not to want to be governed thus' can be understood as a double contestation of the illegitimacy of practices and their authority. Analysing the conditions of emergence and consolidation of a regime of truth challenges its truth claims. Security

practices are not rendered illegitimate because of how they function within a specific field. These practices appear as necessary because of the imaginary of security. What is needed, Foucault has insightfully remarked, is 'putting forth universal and infeasible rights to which every government, whatever it may be,... will have to submit' (Foucault 1997: 30).

A Bourdieuan analysis of the field as undertaken by Bigo limits however the potential of critique in Foucault's sense. Change in the field comes through contestatory interactions between fields and institutional actors with diverging 'interests'. Yet, the technologies of knowledge acquisition in the field of security short-circuit any type of amateur interventions. The security professionals' institutional knowledge about threats and the technological means to deal with those makes them relatively impermeable to the criticism of 'amateurs' such as NGOs, associations, churches, spokesmen and other types of ad-hoc organisations. Bigo speaks an 'ethos of shared knowledge between the professionals, a knowledge beyond the grasp of people who do not have the know-how about risk assessment and proactivity' (Bigo 2002: 74). Amateur actors can only enter the field of shared knowledge by proposing useful or similar knowledge. As society is a complex structuration of fields, claims of knowledge, authority, etc. can clash with claims from other fields. Without an over-arching epistemic authority, claims to knowledge remain irreconcilable. The very struggle over the representation of a social problem can make institutional space for various actors. As it is unclear in what sense exactly migration for example is a threat, it can be integrated in a whole series of practices that allow for the intervention of the police, border officials, judiciary, politicians, or NGOs. Migration is simultaneously connected with terrorism, smuggling, crime (more or less organised), allowing interventions from different fields and by various actors.

NGOs have been able to enter the field of trafficking – defined initially by law-enforcement as a matter of policing – by proposing forms of knowledge that would be useful for the management of trafficking. Many trafficking NGOs in Europe already had

expertise in working with sex workers or victims of domestic violence.²⁸ NGOs have offered first-hand, in-depth knowledge about victims of trafficking. In her presentation to an OSCE conference, Stana Buchowska from La Strada has emphasised the role of NGOs as a valuable source of information for the authorities, information which would be otherwise unobtainable (OSCE 2004). The European Commission also recognised early on the importance of NGOs in anti-trafficking programmes and has integrated NGO representatives in its 'Experts Group on Trafficking in Human Beings', mandated to develop a plan for best practices, standards and mechanisms to prevent and combat trafficking in human beings (European Commission 2005b). Although NGOs have managed to enter the field of security professionals, their approach to human trafficking has proven less of a challenge to existing technologies of government. To understand how a 'victimisation' approach could become part of the overall governmentality of trafficking, it is important to focus on the logic of practices rather than the interests of actors. The next section will show that practices can be reappropriated and moved in different directions, independent of the actors' interests or initial agenda.

Governing human trafficking: risk practices²⁹

REIW [Regional Empowerment Initiative for Women] ... will help prevent trafficking in the countries of origin as at-risk women are vested with the skills, knowledge and confidence to successfully pursue safe and fulfilling opportunities in their home countries and avoid trafficking schemes (International Research & Exchange Board 2003).

Compared to the more straightforward examples of securitisation such as migration, trafficking is a peculiar case, as it has witnessed a move from security to a humanitarian

²⁸ Most of the NGOs in Western Europe have integrated anti-trafficking work in their work with sex workers. I have encountered this 'history' with NGOs from Italy (On the Road, TAMPEP, Comitato per le Diritti Civili delle Prostitute), France (Cabiria), Germany, the Netherlands (STV).

²⁹ An earlier version of this section was published in Aradau (2004a).

or victim-based approach. A governmental analysis of risk practices allows us to see how such an ethical approach becomes enmeshed in the securitising logic (beyond the constraints imposed on amateur actors such as NGOs by their presence in the security field). Pity towards trafficked women becomes enmeshed with preventive strategies of risk and women become 'constituted' as specific categories of victims, pathological beings that are themselves risky rather than exposed to risks.

Despite the ethical injunction to tend to the victims, pity is reconfigured when it becomes a mechanism for dealing with social problems. The representation of the 'victim' and of the abuse of rights made possible by her vulnerability activates technologies of prevention. The recurrence of such experiences needs to be stopped and detailed knowledge of the phenomenon and those involved is required. In Romania, one institution which is part of the police service is responsible nationally both for the prevention of trafficking and the protection of victims.³⁰ Victims of trafficking cannot remain pure presence; their risk identity needs to be specified for the purposes of preventing human trafficking. The risk prevention of trafficking relies on technologies of delimiting and categorising 'high risk' groups, groups which are at risk of being trafficked. Trafficked women are profiled for preventive purposes and it is these specific profiles, developed in conjunction with psychological knowledge, that make possible the constitution of these women's identity as a subject of the governmentality of human trafficking. This representation of vulnerability is at first sight consonant with the unifying representations of victims as suffering bodies, as the risk of trafficking is taken to be a risk to women's well-being. Yet, we shall see that trafficked women also mutate into a risk to the state/society, as a group at risk thought to embody a permanent virtual danger that could erupt in the future.

The identification and calculability of risk depend on the construction of risk profiles. Studies of risk practices have emphasised the construction of biographical profiles of human populations for risk management and security provision (Ericson and

³⁰ Oficiul National de Prevenire a Traficului de Persoane si Monitorizare a Protectiei Victimelor Traficului (National Office for the Prevention of Human Trafficking and Monitoring of Victims of Trafficking), http://www.politiaromana.ro/Prevenire/trafic_persoane.htm, accessed 26 March 2005.

Haggerty 1997). Victim profiles have also become ubiquitous in trafficking reports and studies of the phenomenon. The Council Framework Decision on combating trafficking in human beings identifies trafficked women as victims of coercion, force or threats, including abduction, deceit or fraud, abuse of authority and vulnerability (Council of the European Union 2002). A report by the European Parliament explicitly defines and limits vulnerability as specifically due to 'poverty, lack of education and professional opportunities' (European Parliament 2001).

In NGO analyses, socio-economic conditions are being translated at the individual level as 'a strong desire to seek employment abroad', shifting emphasis from questions of inequality to vulnerability factors (El-Cherkeh et al. 2004). Other reports employ a similarly psychological redefinition in terms of the victim's 'wish for a better life'. These redefinitions are not limited to the NGO sector, but are taken up by the EU and other international organisations. A Europol overview of trafficking redefines poverty and the hope or expectations of a more prosperous future as the vulnerabilities that are exploited by the traffickers (Europol 2004). Even when economic and social factors are concerned, a shift towards individualisation and psychologisation becomes apparent. The latest IOM study of vulnerability factors to trafficking in Romania completely dismisses the hypothesis of 'an objectively poor environment as a characteristic of vulnerability' (IOM 2003). While poverty is acknowledged as a 'push' factor, calls for eradicating poverty remain highly impractical. Another, more feasible, way of tackling the issue of poverty is by changing individual psychological reactions to poverty.

Even if socio-economic risk factors such as poverty, lack of job opportunities, and gender inequalities are enumerated in the various reports on trafficking, their role is not only redefined under the influence of psychologisation, but also limited in practice. In interviews with the IOM and three other NGOs in Romania working for the reintegration of trafficked women in the country of origin, I found that, as the economic aspect of the risk governance is very difficult to tackle, it is eclipsed by the more easily addressable

concerns with psychological rehabilitation and recovery.³¹ NGOs have liaised with EU actors by providing psychological expertise that could be more easily translated into practice compared to large-scale economic and social interventions. Psychological counselling counts as one of the most important methods for victim assistance and reintegration. A report on trafficking in South-Eastern Europe cites medical care and psychological counselling as the first two strategies of integration, while expressing concern about the little emphasis placed on educational assistance and lack of vocational and training programmes in transit and destination countries (Counter-Trafficking Regional Clearing Point (RCP) 2003).

In the general assemblage of risk factors used to govern specific groups, trafficked women become mostly an assemblage of psychological risk factors. From the NGOs perspective, this shift to psychological profiling is not surprising, given that they understand trafficking as a traumatic experience for women. For psychological expertise, a traumatic experience is also linked with specific factors in the victim's past. Animus, the main NGO involved with returned trafficked women in Bulgaria, warns that it is important to consider the predispositions that exist in the personal history of women and girls (Stateva and Kozhouharova 2004). Typical risk profiles of victims of trafficking will therefore include past biographical details deemed important by the experts. Significantly, victims are shown to have often experienced 'exposure to violence at home or in a state institution' (Limanowska 2002). Most victims have been abandoned by parents, friends, and/or husbands, and many have been sexually abused (Centrul pentru prevenirea traficului de femei 2002). They often come from dysfunctional families (La Strada).³² Animus also indicates that the groups most at risk of being trafficked are women and

³¹ In January 2004 I conducted interviews with representatives of the IOM Bucharest, Ad Pare Bucharest, Reaching Out Pitești and Save the Children Romania. Psychological counselling and therapy was foremost on their agenda, all victims of trafficking having to go through a therapy programme. However, they were all aware of the importance of the economic and social context. The task of helping women find jobs or get out from poverty proved daunting for most of them, Reaching Out being the only NGO that makes sure women have a job before they leave the shelter.

³² La Strada is one of the first NGOs funded by the EU to prevent trafficking in women in Central and Eastern Europe. In 2005 they celebrated ten years of activity.

adolescents who have suffered traumatic experiences, e.g. victims of domestic violence, sexual assault, children from orphanages, and children with a large number of siblings and only one parent (Zimmerman 2003). 26% of the returned women at Animus had been victims of incest or childhood psychological abuse and all of them had untreated psychological trauma (Stateva and Kozhouharova 2004: 112).

Victims of trafficking suddenly begin appearing in reports as doubly traumatised, both by the experience of trafficking and by earlier, childhood experiences of abuse. This continuity of trauma is not surprising for the psychological expertise. A classic of psychological trauma and an oft-mentioned reference in NGO documents, Judith Herman's *Trauma and Recovery* states that adult survivors of child abuse are at great risk of victimisation in adult life (Herman 1997: 111). The experience of trafficking is thus a repetition, an almost fateful reliving of earlier traumas. Diana Tudorache, from the IOM shelter on Kosovo, clearly connects the two types of traumatic events. In her words, '[t]he feelings of vulnerability and emotional pain that are experienced by the VoT [victims of trafficking], combined often with a background of childhood abuse and mistreatment, play a significant role in the occurrence and severity of the acute reactions' (Tudorache 2004: 23). Within a short period (2001-2004), IOM Romania commissioned and published two studies of the vulnerability of the 'young female population in Romania' (IOM 2001, 2003). Based on interviews with women who have been trafficked, IOM has produced victim profiles which emphasise their past traumas.

The past however, especially the location of a traumatic event in the victim's past (such as childhood abuse, dysfunctional family environment, domestic violence and institutional abuse) activates another scenario of psychotherapeutic practices. As Julie Brownlie has noted in her article on the 'young sexual offenders', victimisation is not only an indicator of further abuse but equally an indicator of future risk (Brownlie 2001). Studies on victims of sexual abuse suggest that adult females who were sexually abused as children experience a variety of long-term sequelae including sexual disturbances, depression, anxiety, fear, and suicidal ideas and behaviour (Schaaf and McCanne 1998: 1119). Victims of sexual abuse, psychological studies have shown, are likely not only to

be re-victimised, but they might well become 'perpetrators' themselves. In cases of child abuse or violence, the necessity of abused children to defend themselves at an early stage in life might evolve into offending behaviour later on (Romano and De Luca 1997: 86). In a less extreme formulation, women who have been sexually abused as children and those who have been traumatised are more likely to engage in future risk-taking behaviour than those who have not experienced abuse (Zimmerman 2003). Even those who claim that survivors of childhood abuse for example are more likely to be victimised than to victimise other people cannot deny a connection with adult antisocial behaviour (Herman 1997: 113).

These insights activate technologies of risk management which attempt to limit the possibility of a risky offender to re-offend. The spectre of potential offences, whether understood as antisocial, risky or even criminal behaviour surreptitiously infuses victimisation scenarios. If the continuity of trauma could be thought as consonant with victimisation, which could still construe sexual exploitation as the undeserved surplus of earlier, also undeserved, abuse and violence, the risky-ness inscribed in the women's biographical profiles ends up by subverting pity. Strangely reminiscent of the governmentality of drug- and alcohol-addictions, 'rehabilitation' is the motto for practices of victim assistance. The expert knowledge mobilised by NGOs with the purpose of helping trafficking women becomes 'hijacked' by a politics of risk which is based on risk minimisation and containment. The women 'at risk' insidiously metamorphose into 'high risk' groups and risk technologies are deployed under the banner of therapy not just to help victims of trafficking overcome their trauma and ease their suffering, but also to limit the possibility of dangerous irruptions.

What is this dangerous irruption, what is the potential offending behaviour of trafficked women? The EU documents are un-ambiguous on this point. If trafficked women are to re-offend, offence is to be understood as immigration. The EU Council Proposal for a decision to combat human trafficking has explicitly stated that helping victims of trafficking or smuggling is a way of preventing them from lapsing into an illegal immigration situation (Council of the European Union 2002). The joint EU-IOM-NGO

Brussels Declaration also sees victim reintegration as a means to reduce the risk of re-trafficking (IOM 2002). While trafficked women are involved in psychological therapy (together, for example, with victims of domestic violence and rape), it is important to remember that these programmes are seen by the EU as part of prevention strategies and therefore need to be supplemented in most cases by return to the country of origin.³³ A Commission discussion paper on granting short-term residence permits can even unproblematically conceive of the fight against human trafficking as two-pronged: by dismantling the networks or by helping victims get out of their illegal situation and avoid lapsing into it again (which would also be linked with psycho-social measures) (European Commission 2001b).

These preventive measures can only be read as the risk management of illegal migration which subverts the non-judgemental concerns of pity and subsumes the NGO discourse to the logic of security practices. The potential risk of women migrating and being re-trafficked is to be contained and prevented; they will be surveyed and disciplined, subjected to trauma therapy with the purpose of turning them into subjects able to monitor their own risk. Risk technologies have made possible the specification of the victim – previously object of pity – as inherently and continuously ‘risky’ and have modified the emotional promise of pity into an abstract suspicion of risk. Based on the aggregate of risk factors, vulnerability is traversed by *imputations of dangerousness* (Castel 1991: 284).

Women remain risky beings, always ‘in danger’ of being re-trafficked and thus embodying themselves the danger of illegal migration. Rather than rights-bearing individuals, women are dealt with as risk-bearing ones, subjected to a logic of risk which is focused on how to limit the opportunity of the ‘risky’ offender to offend. The risk of women being re-trafficked is a risk which paradoxically dwells ‘in’ the subject even though it has not manifested itself in the act (Castel 1991: 283).

An ethical approach to trafficking becomes complicit in a politics of security that uses risk technologies for the purpose of preventing human trafficking. While such an

³³ The conditions for obtaining temporary residence permits imply either the cooperation of women in the prosecution of the trafficker or exceptional cases of threat or abuse. Most women are either ‘voluntarily returned’ or deported.

analysis of practices allows us to see how the two approaches are interconnected and traversed by a logic of risk, it does not give much help by way of unmaking these practices. The realisation that the prevention of human trafficking and the 'protection' of trafficked women are geared towards a concern with stopping illegal migration does not challenge the experts' regime of truth concerning illegal migration. As a complex social problem, human trafficking can be split between concerns for the victims and 'legitimate' concerns with illegal migration. While technologies of risk management make apparent their imbrication and interdependence, what also needs to be challenged is the imaginary of security that allows for the constitution of authoritative forms of knowledge.

Without challenging both symbolic practices and the imaginary that holds them together and makes their deployment possible, ethical concerns can be reappropriated and reformulated. Their reappropriation is made possible not simply through field effects (the amateur actors yield to expert knowledge, the EU finances many of these organisations)³⁴, but through the redeployment of technologies and knowledge. While one can attempt to think change along the first two lines – how would struggles among actors challenge dominant constructions rather than entrench them – the more urgent question is how to tackle the redeployment of technologies. This redeployment can either settle various struggles or obscure the real stakes of struggles. The following section will explore possibilities of challenging the reappropriation of knowledge and the redeployment of risk management technologies.

Security effects: a taxonomy of subjects

I have shown that the redeployment of the technologies of risk management and risk knowledge is made possible under description, under the specification of who the victims of trafficking are. This constitutive dimension of practices can lead to a different understanding of how to formulate a critical stance. The practices of risk management and

³⁴ The EU STOP programme has financed NGOs to tackle trafficking in women, while DAPHNE has provided funding to NGOs fighting violence against children, young people and women (European Commission 2002b).

prevention create specific subjects at risk or risky. Therefore, the subjectifying aspect of practices is of foremost importance for unmaking security. In a Foucauldian framework, the task of critique as exposing the arbitrariness of a regime of power/knowledge which has become natural, taken-for-granted and a-historical is supplemented by subjects who resist these very regimes of power. Focusing on the genesis of practices exposes their contingency, their arbitrary reification into the taken-for-granted, the familiar and the natural. Yet, this exposure needs to tackle the paraphernalia of actors, technologies and discourses. Although I do not want to claim that such change is impossible, it seems to me that the point of instability, the possible point of rupture resides in the constitution of subjects.

Technologies of government can only attempt to foster different subjectivities and are reproduced by means of these descriptions. Such descriptions have been ostensibly refused by trafficked women. Foucault's insight on the recalcitrance of the subject, the resistance that is immanent to power appears in the trafficked women's refusal to accept these descriptions. Many women refuse to become subjectified as victims of trafficking. NGOs have devised guidelines that would name women as victims independent of their personal decision (OSCE 2004). 'Victims of trafficking' often refuse to return to their countries of origin and follow programmes of rehabilitation. Yet, can they extricate themselves from these practices? The question of unmaking security practices could therefore be rephrased as the 'opposition to the effects of power linked with knowledge, competence, and qualification... [and] also against secrecy, deformation, and mystifying representations imposed on people' (Foucault 2000c: 330).

Having defined security as 'the generative and immanent principle of the formation of [the] political subject' (Campbell and Dillon 1993: 29), Campbell and Dillon found themselves in the midst of a larger theoretical field in which the relation of the subject and social practices was being debated. If the subject is 'constituted' by regimes of power/knowledge, the only possible extrication is by un-forming or de-forming the subject. For Campbell, security and subjectivity are intrinsically linked in a twofold way: securing a subject requires its differentiation, classification and definition (Campbell 1992: 253);

security also functions 'to instantiate the subjectivity it purports to serve' (Campbell 1998a: 199). Security practices attempt to reproduce a secure subject by abject-ifying others. Linking security and subjectivity is assumed to have an insurrectional effect. Campbell's formulation of the subject insurrection is 'how do we orient ourselves to danger...? Do we have an alternative to the continued reproduction of sovereign communities in an economy of violence?' (Campbell 1998a: 203). His answer is inspired by the Foucauldian 'ontology of freedom' which makes possible the rearticulation of different modes of being and forms of life. Although a more thorough discussion of subjectivity is beyond the ambit of Campbell's book, it is unclear how such a rearticulation is to occur given the power effects of security. Moreover, the subject of security is the *subject* and not the abject.

As Hinrich Fink-Eitel (1992), one of Foucault's German exegetes has argued, Foucault's theoretical trajectory can be considered as the bifurcation of a history of the other and a history of the self that have continued the lines sketched in *Madness and Civilization* and *The Order of Things* respectively. If *Madness and Civilization*, Fink-Eitel goes on, dealt with the philosophy of the Other, *The Order of Things* is concerned with a philosophy of the Other's opposite, of the human being as a finite being on the verge of a breakthrough to the other (Fink-Eitel 1992: 31). The bifurcation between the dominance of the self and the dominance of the other in Foucault's work has led to a dualistic approach to the question of subjectivity. The subject who resists her subjectification through practices of security can be the self or the other.

The focus on the self, on the subject of modernity or on the multiple institutional locations of subjects seems to me to run into the impasse of accounting how the subject's 'passionate attachment' (Žižek 1999) to one's subjectivity is to be un-wrung and re-worked. Žižek follows the line of psychoanalysis, where subjectivity is unwrought through a traumatic encounter with the Real. Butler on the other hand weds psychoanalysis to the subjectivity of the abject. There is an implicit assumption in Butler that the undoing of subjectivity happens at the site of the other-subject, the one that security practices constitute through exclusion as the abject. Those who encounter power relations most directly and oppressively resist most immediately and directly.

The governmentality literature has de-differentiated the self and the other in its understanding of resistance against power relations. I have already discussed governmentality as an 'art' for acting on the actions of individuals, taken either singly or collectively, so as to shape, guide, conduct and modify the ways in which they act (Burchell 1993: 267). Combining the meanings of 'to conduct', 'to conduct oneself' and 'conduct' as a noun, government refers to any attempt to shape with some degree of deliberation aspects of our behaviour, the management of possibilities (Dean 1999a: 10; Foucault 2000c: 341). Resistance therefore is a question of 'counter-conducts' of the self and other. In the later Foucault, there is an emphasis on ethics or 'aesthetics of the self' as a modality of engagement against the shaping of conduct. What interests me, however, is the second penchant of his theoretical trajectory, the other, whose resistance is at best silenced if not suppressed. While one could speak of the relation between the resistance of the self and the resistance of the other, of the congruence and resonance of their forms of resistance, the emphasis on the other, the infamous or the abject speaks to a Marxist tradition that has seen in the oppressed the makers of their own emancipation. Resisting counter-conducts happen at the site of those who experience technologies of government as oppressive and unjust.

The subject that disrupts, transcends and challenges is the oppressed subject or the abject. Oppression is not a question of personal feelings, but is inscribed in power relations. The subjective position of the abject replaces – in this reading – the concern with the modern subject who is constituted through the exclusion of abject others. It is after all an ethics of the self along Foucauldian lines that is envisaged by Campbell. His later engagement with Levinas and responsibility towards the other attempts to recreate an ethical injunction from the site of self. Although both subjects and abjects function within relations of power and both could resist, the abject most directly and immediately resists oppression and domination.

The related issue that arises with the resisting subject is whether counter-conducts or insubordination are able to displace the existing socio-symbolic network. Žižek argues, contra Butler, that

one should maintain the crucial distinction between a mere “performative reconfiguration”, a subversive displacement which remains *within* the hegemonic field and, as it were, conducts an internal guerrilla war of turning the terms of the hegemonic field against itself, *and* the much more radical *act* of a thorough reconfiguration of the entire field which redefines the very conditions of socially sustained performativity’ (Žižek 1999: 264).

Butler has actually raised the question of resistance that only manages to undermine (thus determining the failure of the constitution of the subject), but does not have the power to re-articulate the discourse and the normalising practices (Butler 1997b). Think, for example, of the sovereign deportation of undesirable asylum-seekers or illegal migrants. The subject’s insubordination is often acutely violent. Such reactions are not interpreted as political and new technologies are devised to remove the struggling migrants from the view of other passengers at the airports. What few changes are made concern more effective, less visible technologies, but not the principles, the logic of representing asylum-seekers or illegal migrants as dangerous, bogus, criminal, in a word undesirable.

Or – even more perversely – resistance can be re-appropriated by the regime of power/knowledge and technologies of security. The strategy of representing trafficking as the victimisation of women is reappropriated in a logic of risk, according to which women remain risky beings. Resistance to security practices does not mean proposing a less threatening representation of the other, but challenging the very imaginary and symbolic practices of security. It is interesting that the refusal of representations of danger concerning asylum-seekers or migrants generally focuses on their artistic side: poetry writing, drawings, and music. This artistic side silences their political claims, the disturbance that they cause to the existing ‘regime of truth’ about migration and asylum. Their integration through art takes away the economic and political implications of migration which security practices try to neutralise through the constitution of danger or

risk. Is such an emphasis on the artistic side of migrants not the tacit awareness that other challenges could be truly unsettling? Moreover, the artistic display of migrant craftiness does nothing by way of challenging the representation of other migrants as bogus refugees, welfare cheaters, criminals or potential terrorists.

The dilemma of resistant subjectivity is that it can be consonant with dominant practices (such as the migrant-as-artist) or it can reproduce representations of danger (the migrant who violently struggles against procedures of return). The next section will analyse this dilemma of subjectivity in relation to the reproduction of dominant practices or their disruption by looking at how trafficked women refuse practices of subjectivation.

Governing human trafficking: risky subjects

'Psychological pain' does not by itself seem to me to be a definite fact, but on the contrary only an interpretation – a causal interpretation – of a collection of phenomena that cannot be exactly formulated – it is really only a fat word standing in place of a skinny question mark (Nietzsche quoted in Hacking 1995: 197).

We have seen that security practices eliminate, expel or modify the destabilising element of the political order. We have seen how the disordering potential of trafficked women permeates concerns for their suffering. The psychological knowledge that make possible such linkage is also deployed for making sense of the women's behaviour in the post-trafficking situation. This section will show how women's resistance becomes depoliticised, integrated in a regime of power/knowledge that 'speaks the truth' about them and deprives them of the political clout of ordinary citizens.

Hindess has distinguished three broad categories of subjects in need of different technologies of government depending on the understanding of the subject's (lack of) capacity for self-government and risk management (Hindess 2001: 101). The first category concerns those people who are far from acquiring the necessary capabilities and should be cleared out of the way. They are the hopeless cases, the incorrigibles or as

Dean calls them, the 'permanently delinquent' (2002: 48). The second category is that in which the capacities for self-government can only be developed through compulsion, through the imposition of more or less extended periods of discipline (Hindess 2001: 101). The third category concerns those subjects who lack the capacity for self-government due mainly to external reasons – for example ill health, poverty, or inadequate education.

Trafficked women are the paradoxical case in which the three categories overlap. As illegal migrants, trafficked women are still to be deported. As potential criminals, they are to be subjected to disciplinary technologies. To be accepted to the Eaves Housing Center in London, for example, women have to abide by restrictive criteria, beyond their experience of trafficking (Eaves Housing for Women 2004). As psychologically vulnerable, women are to be helped through education and various forms of psychological counselling to become self-sufficient and reliable subjects. Although the technologies deployed for governance are different, what these varied descriptions of subjectivity have in common is their position as objects.

There is a double inscription of the psychological upon the subjectivity of trafficked women. On the one hand this inscription leads to the construction of vulnerability and risky-ness that accounts for trafficking and allows for the deployment of preventive technologies of risk management and on the other the experience of trafficking is itself constructed as a traumatic. In a report by the Minnesota Advocates for Human Rights, an NGO which has funded anti-trafficking programmes in Ukraine and Moldova, the post-trafficking psychological reactions comprise 'severe mental or emotional health consequences, including feelings of severe guilt, post-traumatic stress disorder, depression, anxiety, substance abuse (alcohol or narcotics) and eating disorders...self-mutilation or suicide' (Minnesota Advocates for Human Rights 2005). A study financed by the World Health Organisation to analyse the health effects of trafficking reaches similar conclusions:

The forms of abuse and risk that women experience include physical, sexual and psychological abuse, the forced or coerced use of drugs and

alcohol, social restriction and manipulation, economic exploitation and debt bondage, legal insecurity, abusive working and living conditions, and a range of risks associated with being a migrant/marginalised. These abuses and risks impact women's physical, reproductive, and mental health (Zimmerman 2003)...

Most NGOs involved in victim assistance have adopted this psychological approach to the 'trauma of trafficking'. This is the case with many anti-trafficking NGOs in Romania, both due to their earlier or concomitant work with victims of domestic violence, their formation as social workers or psychologists/therapists, and the publication of manuals of good practices for the assistance of victims of trafficking. While I do not intend to downplay the exceptional role that the experience of trafficking has for women's lives, I argue that the double psychologisation of trafficking depoliticises their agency by re-reading it as pathological. 'Women as risky' functions as the primary depoliticisation of migratory projects and victims of trafficking. Although many women list finding work/working as the reason for their migratory projects, work remains the illegitimate element in the problematisation of trafficking.³⁵ Work is understood either as prostitution or as any form of work but not prostitution.³⁶ 'Women as traumatised' is the second depoliticising move in the governance of trafficking. As they are traumatised and disordered subjects, their actions cannot be considered as endowed with political meaning.

Trafficked women react against the constitution of their subjectivity as abject, as undesirable: women are to be removed from the territory of the country of destination and returned to their country of origin or made useful as witnesses against traffickers. When returned, women often refuse to start rehabilitation programs with the NGOs (Limanowska 2002). All the women whose testimonies appeared in a 2004 legal file at the Galati Court

³⁵ Based on archival research of affidavits in trafficking trials at the Galati Court of Justice, Romania, in January 2004 and January 2004. I have studied four legal files (file 2922/P/2003 in 2004 and files 494/2005, 956/P/2002 and 16/P/2005 in 2006) and the affidavits of the suspected victims of trafficking. I have also read five victim affidavits from the local police.

³⁶ Testimonies in case 956/P/2002, Galati Court of Justice.

of Justice had either attempted to return or returned to the country of destination (Italy) to resume sex work. In a personal conversation, one of the judges remarked that in another trafficking trial it had been difficult to obtain testimonies as most women are working in Spain and do not want to return.³⁷ NGOs also report victims of trafficking returning to their countries of destination and take measures against such misbehaviour. Returning women are disqualified from receiving any further help by the IOM.³⁸ The refusal of victims of trafficking to start programmes of rehabilitation and reintegration, as well as the return of victims to sex work, being re-trafficked immediately after their repatriation or after rehabilitation programmes are problematic for NGOs and their representation of the victim of trafficking. Both the return to sex work and the refusal to start rehabilitation programmes are interpreted as due either to incomplete psychic recovery or to trauma.

The reading of trauma and psychological disorder into women's actions suspends critical considerations of their situation, their relation to the 'rehabilitation and reintegration' programmes or to the prospects for the future that such programmes define. Although several NGOs have gradually started to realise the importance of work for 'reintegration programmes', women remain in a zone of labour precariousness, hardly different from their pre-migration situations. Given time and financial constraints, NGOs in Romania are able to offer three-month qualification courses for hairdressing or tailoring.³⁹ In my discussions with one of the social workers from ADPARE, an NGO working with returned women as part of the IOM victim assistance strategy, it has become evident that they struggle to help women make ends meet.⁴⁰

Rather than raising difficult questions, psychologised disorderly behaviour 'normalises' resistance and integrates acts of refusal by trafficked women into a cycle of traumatic experience-traumatic effects. A report by a Swedish NGO emphasises that it is 'normal for the woman victim of trafficking to be aggressive to the whole world as well as

³⁷ Personal communication with Carmen Sandu, judge at the Galati Court of Justice, 13 January 2006.

³⁸ Author's interview with IOM spokesperson, Bucharest Romania, January 2004.

³⁹ See the section on 'Reaching Out', a Romanian NGO in (Danish Red Cross 2005).

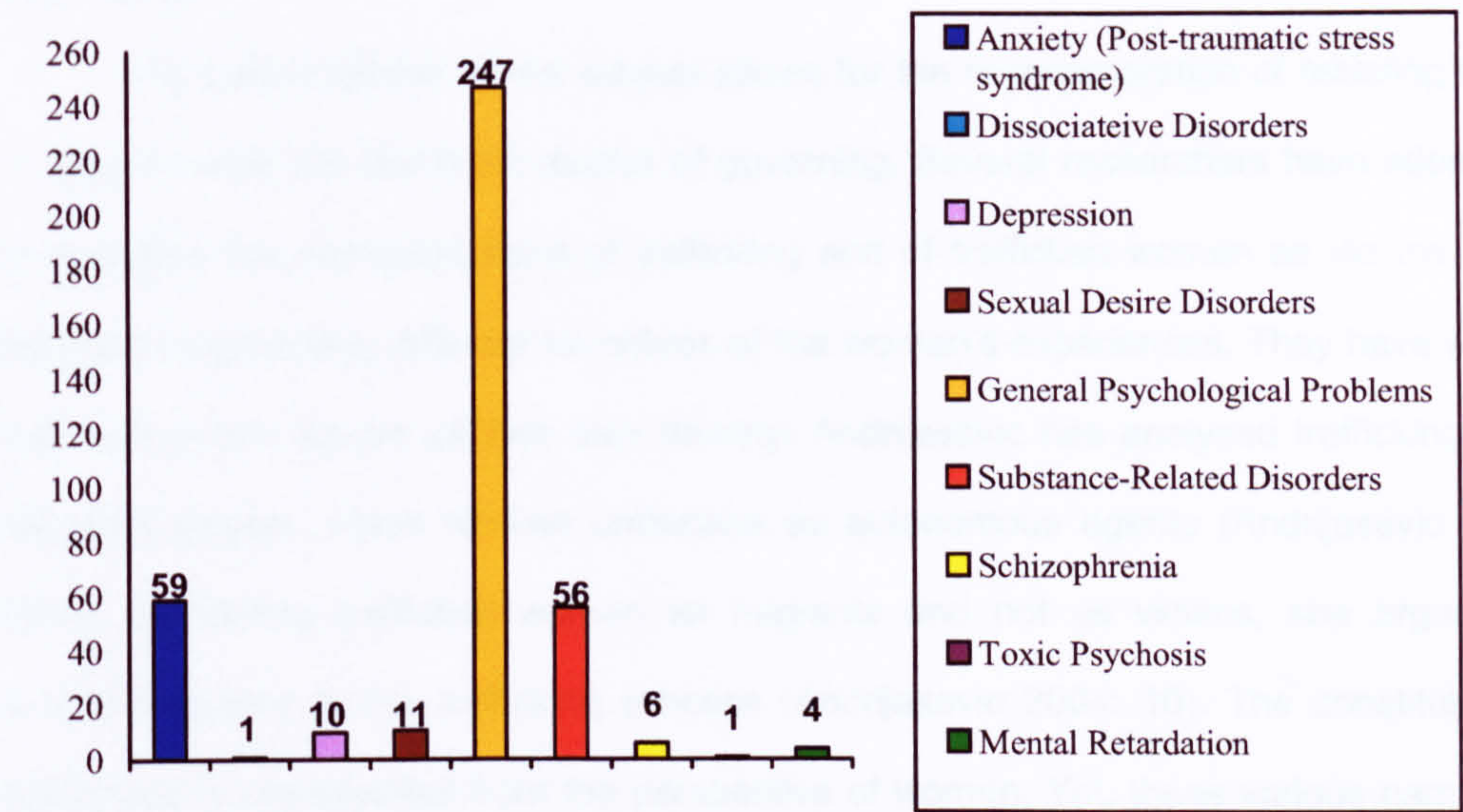
⁴⁰ Author's interview, Bucharest, January 2004.

to the consultant. Her feelings are mixed anger, guilt, joy, helplessness, sadness' (Kvinnoforum 1999: 17). In guidelines for shelters that would accommodate trafficked women, the Romanian NGO Alternative sociale has annexed a short description of the psychological disorders that victims of trafficking can manifest: acute stress reaction, adaptive reaction, post-traumatic stress reaction, and the most severe Stockholm syndrome (Alternative sociale 2005a). The Stockholm syndrome refers to the victim's emotional attachment to the abuser. Any reaction that the victim might have or the refusal to identify or acknowledge a trafficker can be read as a form of traumatic empathy with the abuser.⁴¹ Moreover, the Stockholm Syndrome as the creation of an emotional bond with the abuser can account for women beginning to work with traffickers and becoming 'complicit in the trafficking process through such activities as supervising other trafficking victims and even engaging in the recruitment of women into the commercial sex industry' (Minnesota Advocates for Human Rights 2005).

In Romania, a recent overview of human trafficking, circulated to judges and other professionals who deal with human trafficking dedicates a whole chapter to the psychological consequences of trauma. The chapter was prepared by the director of Alternative sociale, one of most active NGOs on anti-trafficking in the eastern part of the country (Alternative sociale 2005b). IOM Ukraine has also drawn up statistics of the psychological disorders that victims of trafficking suffer from: psychological traumas, poor sleep, sleeplessness, fears, anxiety, depression, suicidal thoughts, frustration, self-recrimination, feelings of guilt, nightmares, poor concentration, low physical/intellectual working capacity, low self-esteem, and loss of life perspectives.

⁴¹ The Stockholm syndrome as a manifestation of the victim's trauma has been promoted by the NGOs working with trafficking women.

IOM Ukraine: Psychological and Psychiatric Disorders (Out of 317 patients)⁴²



To these psychological disorders are added other medical conditions and different forms of alcohol dependency.

Psychological expertise also reinforces gender boundaries and stereotypes and suspends any claims made by women as pathological.

Victims of trafficking have been perceived to communicate through seduction. Seductiveness appears to be their only way to make requests. If we accept this to be true, we must not judge or condemn the women’s actions, because the reasons for this behaviour are to be found in the psychological exploitation of the victims (Tudorache 2004: 20).

Therefore, trafficked women cannot be seen as speaking or acting politically, but only clinically. Governing trafficked women through risk technologies not only ‘constitutes’ them as risky, as vulnerable categories able to pose renewed migratory risks, but it also deprives their actions of political potential. What can their refusal to undertake NGO

⁴² I am grateful for this document to Zsolt Dudas from the Danish Red Cross.

programmes, to return 'voluntarily' to their countries of origin or to testify in court against their 'traffickers' mean when these refusals are only forms of temporary disorders entailed by a trauma?

The medicalisation of the subject allows for the re-incorporation of resisting forms of agency within the dominant modes of governing. Several researchers have attempted to challenge the representations of trafficking and of trafficked women as victims to be deported by providing different narratives of the women's experiences. They have shown that women are agents of their own destiny. Andrijasevic has analysed trafficking as a migratory project, which women undertake as autonomous agents (Andrijasevic 2003, 2004). In viewing trafficked women as migrants and not as victims, she argues for women's agency in the trafficking process (Andrijasevic 2004: 10). The constitution of victimhood is unwarranted from the perspective of women. Yet, these various narratives, sparked by a feminist and poststructuralist interest in silenced subjects, fit the representation of migrants, those who are not 'victims of trafficking' but have at most been smuggled. Trafficked women are a specific category of migrants, defined by suffering as well as 'risk factors'. Autonomous migrants who undertake such risky projects can only be illegal migrants to be deported. The recapturing of women's agency in the process of trafficking, the 'serious thinking and planning that [they] put into migrating' (Andrijasevic 2004: 10) fit with the representation of migration as rational actors, calculating their chances of success and failure.

Narrating women's subjective experiences only shifts the representation of trafficking as victimisation towards the illegal migration discourse. Moreover, the narratives of specific subjects are always partial, unable to provide a 'universal' point of view. As researchers discover stories of migratory projects and autonomy, NGOs and other authorities tell stories of victimhood and suffering. My archival research has made clear that both stories are always already there: women's narratives would contain both elements of autonomous actions and elements of victimisation and exploitation.⁴³ Through the institutional encounter with the police, attorneys and judges, different elements are

⁴³ January 2004 and January 2006, archives of the Galati Court of Justice, Romania.

filtered out. The element of autonomy is discarded, as a certain understanding of victimisation is drawn out of the complexity of situations of exploitation.

While one can be critical of the message that narratives of victimhood convey⁴⁴, it is important not to dismiss these narratives but to understand how they are filtered out of a multiplicity of elements and the complexity of women's stories. One cannot simply deny that stories of exploitation and severe physical and psychological abuse simply happen. One cannot also deny that migratory projects which view 'trafficking' as part of a larger project towards gaining financial autonomy are also real experiences. We are here in a situation that Badiou has defined as 'indiscernibility of knowledge' (Badiou 2004a: 147). All these subjective experiences are equally real, equally true. By disentangling them from their situations, women as victims and women as autonomous migrants buttress different technologies of government. These experiences can be mobilised for specific institutional interests (for example, the IOM project of orderly migration or the EU policy for reducing illegal migration or the punitive logic of criminal law).

We have seen how such knowledge of subjective experiences can become integrated in the governmentality of trafficking through risk. The mobilisation of subjective experiences for the purposes of governing trafficking does not render these experiences untrue. If women are re-identified as risky beings, this does not disconfirm their experiences of suffering. Re-formulating this experience as one of migratory projects cannot be universalised and is limited by the very experiences of those who have encountered forms of violence. These different narratives cannot also be seen as simply subjective experiences of violence, as it is impossible to decide which violence counts as violence and which one is integrated by the subject's adaptive capabilities. As long as we remain captive to different narratives and different subjective experiences, the 'indiscernibility of knowledge' is made discernible in different expert accounts of what counts as trafficking, its victims and the technologies to govern this phenomenon. Experts,

⁴⁴ Andrijasevic has shown how the IOM public anti-trafficking campaigns are based on the idea that women should stay home, in their countries. Danger becomes directly connected with border crossing (Andrijasevic 2004/Chapter 5).

practitioners and academics will keep disputing which category of victims is representative for what human trafficking means.

The next chapter argues that what is needed to find a way out of these disputes about expert knowledge is a political decision. A political decision cuts across the various accounts of subjective violence and the multiple subjective experiences. Resistance to forms of knowledge and technologies can be reappropriated within the dominant modes of governmentality. Women's resistance to return or inscription in programmes of rehabilitations has been rendered pathological through a construction of psychological disorders that would dispose women to abnormal conduct. Other narratives that attempt to undermine this pathological subjectivation of women could not challenge the construction of trafficking and the representative category of suffering and traumatised victims. Stories of autonomous and rational migrants are the 'other' of trafficking, against which trafficking has been defined from the beginning, by means of dis-identification from illegal migration. These narratives attempt to reverse the situation and claim autonomous migration as the normal, while trafficking speaks of the abnormal practices and violence that states inflict upon migrants.

Subjectivity is therefore what is challenged and contested by governmental practices. On the one hand, different institutions attempt to represent and subjectify trafficked women and on the other women themselves challenge these forms of subjectivity. Yet, I have shown that the psychologisation or medicalisation of subjectivity is problematic for the possibility of political action. Similarly, reclaiming rational action risks falling back upon existing categories of willing and forced migrants. The situation of 'indiscernibility of knowledge' appears as a situation of indiscernibility of subjectivity. What form of subjectivity, by what means, could traverse this situation of indiscernibility? Foucault has already intimated that critique needs to invoke forms of universality and rights that go beyond what is already captured in the particularity of governmentality. His remark is however at odds with the emphasis he placed on particular deployments of power relations and the rejection of universality. The following chapter will discuss what

universality could mean for resistance to power and the relation between subjectivity and universality.

Conclusion

By continuing the critical engagement with the humanitarian approach to human trafficking, this chapter has also led to a distancing from particular understandings of governmentality in security studies. It has shown that reducing governmentality to an analysis of fields obscures the way practices have a logic that can function independently of actors. While NGOs strive to impose specific representations of women and victimhood, these representations cannot be divorced from the cohort of institutional practices that represent women for the purposes of risk prevention. Women can never remain victims, pure presence but need to be known for the purposes of governmentality. If governing a social problem requires knowledge of the phenomenon and of those involved, descriptions of trafficked women mobilise clinical and psychological knowledge for the purpose of prevention. Women's biographies always already show them as pre-disposed to trauma and victimisation, always already victims of a violent past (family abuse, domestic and institutional violence, alcoholism, lack of education, etc.). Yet, a traumatic and violent past also bears the stigma of potential violence in the future. The clinical and psychological knowledge will buttress the hypothesis of such re-offending behaviour, namely of women undertaking migratory projects. Trafficked women appear as risky beings, whose behaviour needs to be controlled and directed away from the future of illegal migration or re-trafficking. Prevention is therefore not only targeted at potential risk groups in countries of origin, but particularly at the group of victims who could be re-trafficked.

The question of unmaking security practices has been rephrased as a question of the form of subjectivity that can support such practices of resistance. My analysis has shown that governmental practices foster and depend upon a certain representation of the subject, on forms of subjectivity that are consonant with the technologies deployed. The possibility of unmaking security practices has related the subject's resistance to the direct and immediate practices which attempt to define her and direct her actions. Yet, the

refusals and resistance of victims of trafficking appear only as medicalised, pathological reactions, as traumatic irrational actions. The psychological knowledge that informs the knowledge of risk depoliticises women's resistance through the constitution of abjection. When academic knowledge attempts to contest the representation of women as victims, they reassert the representation of trafficking as a form of illegal migration. Moreover, such alternative approaches or discourses cannot obliterate the stories of victimhood that are there, side by side to stories of migration.

Resisting subjects are simultaneously at a distance from institutional actors and institutionally mediated through the constitution of subjectivity in governmental practices. I have shown that particular subjectivities can become reappropriated in the division of subjects that governmentality employs. The particularity of subjectivity and the refusal of dominant forms of subjectivity do not manage to disrupt the legitimate practices of security. As Žižek has indicated in his criticism of Butler, a politics of rupture cannot be thought from the standpoint of particular subjectivities. The complexity of subject positions only makes them disputable in a context of 'indiscernibility of knowledge'. The next chapter will discuss what a politics of rupture means for unmaking security and who the subject that supports this politics can be.

V. Politicising the excess: emancipation as universality and equality

Introduction

A genuine political thinking will attempt to find a possibility which is *not* homogeneous with the state of things. A political thinking will say: here is a collective possibility; perhaps it is small and local, but its rule *is not* that of the dominant rule. And a political thinking will formulate this possibility, practise it, and draw all of its consequences... (Badiou 2004a: 82-83).

Badiou's formulation of political thinking speaks to the concerns that have emerged from the previous chapter. Attempts to unmake security practices appeared to be caught in a dynamics of practices and representations that would redeploy and reappropriate alternative discourses, ethical considerations and subjective resistance. The humanitarian approach insidiously transforms into the governmentality of risk and brings trafficked women to their initial status of 'dangerous others' through a construction of psychological risk which they literally embody. If pity is redeployed for the purposes of governmentality, ethical principles can become part of the management of social problems. Rather than related to actors and institutional positions, this reconfiguration of pity can be understood from within the logic of practices that redefine the subjects to be governed.

The previous chapter has shown that making apparent the professionals' 'regime of truth' and documenting the subject's resistance does not challenge security practices. As traumatised subjects, trafficked women can refuse practices of rehabilitation, practices that discipline and order their behaviour. These refusals are seen as simply symptomatic of a disorder to be 'treated' just like the trauma of trafficking. I have suggested that the institutional mediation of subjectivity is constitutive of the dilemma of resistance that does not disrupt, but functions as a failure that will only spur more governmental technologies to

deal with it. Particular forms of subjectivity can always be integrated within forms of governmentality.

I have also suggested that the infiniteness of ethics is always translated for the purposes of governmentality and the unlimited is brought under the sway of what is. An analysis of practices is caught in the net of what is, of power relations that reappropriated forms of resistance and redeployed alternative discourses and strategies. A reformulation of relationality, of the constitution of objects through practices of security depends on principles which are heterogeneous to what is. How are we to think these principles and political practices that challenge what is, the art of government and its technologies of objectification, while not proposing a limit that always remains untranslatable and impracticable?

The insight that the ethical approaches have (especially those of Derridean inspiration) is that of an excess that can challenge existing structures. Foucault's passing indication of the need for universal principles to inform critique resonates with the insights of the critical approaches. What needs to be reformulated is the conceptualisation of excess at a 'distance' from politics. This point is instrumental for the uneasiness that Foucauldians have about resistance. All transformation, all resistance risks immediately being re-embedded in the symbolic system, it can be re-appropriated in the relations of power. Such an impossibility of transformation is due – in Joan Copjec's superb argumentation – to an understanding of the system as positivity. Foucault's work does not allow any place for negation. What Foucault shows is always the visible, that which has always been there but was made invisible by a particular regime of power/knowledge. By endorsing a battle-model of power and discarding the earlier model of language, Copjec argues, Foucault reduces the social to existing relations. While language speaks in positive statements, it also indicates their insufficiency, their impossibility to wholly render meaning or 'truth'. Something escapes language, something that cannot be captured in its positive statements. For Copjec, this negation is the very generative principle of society that cannot be expressed in language. The mode of a society's institution is unspeakable

(Copjec 1995: 10), which can be doubly interpreted as the impossibility to render visible the generative principle of a society and as its negation of the society's functioning.

In Copjec's view, 'some notion of transcendence is plainly needed if one is to avoid the reduction of social space to the relations that fill it' (Copjec 1995: 7). Even if one exposes the functioning of the system, its practices and technologies, this does not necessarily entail any change. This notion of 'transcendence' is translated in different theories as universality, excess, the unconscious or the Real. Against Foucault's famous statement that critique is 'not a matter of saying that things are not right as they are. It is a matter of pointing out on what kinds of assumptions, what kinds of unfamiliar, unchallenged, unconsidered modes of thought the practices that we accept rest' (Foucault 1998: 154), one should pit Žižek's bleak warning of such a move: 'ideology can lay its cards on the table, reveal the secret of its functioning, *and still continue to function*' (Žižek 1998b: 200). As long as one is limited by what is, by the positivity of the system of power, any resistance and transformative political project can be 'hijacked' and integrated in the system. The generative principle of a system can no longer be integrated into it, it is rather its negation. Foucault's resistance that is immanent to power relations understood exclusively in their positivity needs to be displaced towards an understanding of negativity that cannot be incorporated by the system.

Having given up the model of language in his later work, Foucault is not able to account for the non-articulable, for that which eludes expression. Whatever is not visible is so because rendered invisible by power. As the invisible exists only in relation to power, when made visible, it can be reintegrated within power relations. The migratory projects of women who become victims of trafficking and their desire to find work are rendered invisible in the encounter with institutional power. Different elements and stories are made visible, stories of abuse, coercion or betrayed trust. Yet, the retrieval of the migration element and of agency, either through interviews or from archival sources, does not challenge the constitution of human trafficking as a criminal law issue or as a migration issue. Trafficked women are either victims or they are illegal migrants; different

inscriptions would activate different interventions. We have seen that these interventions can be understood as security practices, as risk management of disorderly conducts.

Foucault's strategy of making heard silenced voiced and stories rendered invisible, a strategy shared by feminist and poststructuralist approaches, does not challenge the functioning of the system. Making explicit more and positions and conflicts within the structure of power/knowledge does not say anything about what constitutes the generative limit of the system, the excess that it cannot incorporate and that could disrupt it. A radical disruption to the system is the very limit of the system, its excess. For psychoanalytical theory, the limit is the generative principle of a system, the Real that cannot be incorporated in the symbolic. Deconstruction implies an idea of excess in thinking the ethico-political moment. Yet, it seems to me unclear how these theories translate the relation between the excess and the system of power relations through processes of subjectivation. Although psychoanalysis is analogical in its analysis of societal processes and the formation of subjects, the two remain loosely linked.

This chapter will reformulate the concept of excess by drawing on Badiou's conceptualisation of politics as emancipation. It is a theorisation of the excess – it will be argued – that can help us understand what is at stake in a disruption which would be heterogeneous to the dominant state of things. To understand what could disrupt a situation defined by power relations and practices of governing (in)security, we need to see what is excessive to the situation, what transcends it. I shall argue that Badiou's theorisation of excess allows us to understand how political action surpasses the conditions of possibility of a system, while being linked with processes of becoming subject beyond the forms of subjection inscribed in the system. Next, I shall explore the implications of his theory for thinking what emancipation from practices of security can mean for trafficking.

Political events, political subjects: excesses of a situation

Badiou's concept of politics takes us beyond the structuralist and poststructuralist analyses of power relations. Politics – understood as a disruption of the dominant situation, its representations and modes of interventions – is not of the domain of the possible, it is not linked with the failures of different strategies and the complexity of power relations that cannot entirely constitute subjects. Interpreters of Foucault have associated the possibility of resistance with the complexity of power relations and the dissonances these entail in the constitution of subjectivity. As the subject is always constituted in complex and sometimes contradictory power relations, the subject experiences a tension and resists (Ransom 1997). Badiou's politics is not a politics of the possible, but of the impossible, of the excess that does not and cannot be part of existing power relations. Politics, in Žižek's words, is about enacting the impossible, namely what appears as impossible within the coordinates of the existing socio-symbolic order (Žižek and Daly 2004: 80).

The excess is not exclusively linked with Badiou's philosophy, but also spans Derrida's deconstructivist philosophy and the psychoanalytical theory indebted to Lacan. It can even be considered the main hypothesis of poststructuralist Marxism: every event that breaks the reproducibility of social structures already presupposes a certain ontological fissure, an inherent lack/excess that prevents the closure (Palti 2003: 464). Despite Copjec's astute exposure of the flaws of a sociological analysis of practices for a radical politics, I shall not follow the psychoanalytical trend that infuses her work or that of Žižek. Although both Copjec's and Žižek's conceptualisations of politics resonate to a certain extent with Badiou's, one can think their differences in similar terms to those between Foucault and Butler. Foucault locates resistance within the conditions of possibility of the system, while Butler supplements this by an emphasis on the subjective psychoanalytical processes that make resistance possible. Badiou himself has argued that psychoanalysis tries to reduce symptoms and works towards accommodating the subject to the structure (2004a: 84).

However, politics searches for the most radical consequences of the symptoms and therefore works against the structure (Badiou 2004a: 84). While psychoanalysis could illuminate the functioning of security practices in relation to the imaginary of security that sustains them and its role in the constitution of the subject, the overlapping of certain psychoanalytical terms and concepts with the clinical governmental representations of trafficked women has made me wary of a concept of politics that makes use of 'trauma' or of an unbearable encounter with the Real. Derrida's excess is the aporia constitutive of any system; the aporia is not solvable, it can only show the impossibility of closure of a system (Derrida 1993). This impossibility remains non-negotiable and as we have seen with ethical principles, it is the reminder of the aporetic closure of the system. The ethics of infinite responsibility was excessive to any instantiation of responsibility; yet, it remained trapped in this impossibility, unable to negotiate its own relation to that of an existing order.

Badiou thinks the excess of instituted orders, of socio-historical situations as that which is absent and not representable in the system. This excess is a space inhabited by subjects, subjects who become political in their connection to an event. Unlike deconstruction, Marxism attempts to understand not just the constitutive void of an order, but the process of coming into being of that 'ontological fissure', the mode of production of an event (Palti 2003: 464).⁴⁵ For Badiou, the excess is the non-representable in a socio-historical situation. I have shown that governmental interventions depend on the exhaustive representation of the phenomenon of trafficking and the subjects to be governed. Governing human trafficking requires an understanding of what trafficking is (hence its constitution as a specific field) and a description of subjects. Against governmentality, politics refers to that which cannot be represented, but can only present its own existence (Badiou 1985). Badiou has argued that situations can never be closed, situations as generic sets are by definition infinite; the state of the situation can never

⁴⁵ The logic of deconstruction would need to work with the excess of meaning, the absence, which is still necessary for the constitution of meaning. Thus, 'infinite' concepts can be productive if one engages with the aporia, with their disruptive potential rather than with their infinity always at a distance from politics.

exhaustively represent the elements of the situation.⁴⁶ The *event* will challenge this very attempt at closure (in Foucault's terms - although Badiou would find this reference illegitimate – at governing).

The excess separates the thinking of politics from an analysis of reality as what is, as power relations that shape social order. Therefore, for Badiou, politics cannot be considered as 'the exercise of power', as with Foucault (Badiou 1985: 54). Given the immanence of resistance to power in Foucault, politics could be understood as both 'governmental' and 'anti-governmental', concerned with emancipation from particular systems of power, or from the effects of the employment of particular techniques of power (Hindess 1998: 54). We have seen, however, that 'anti-governmental' politics, the forms of resistance are not heterogeneous to the situation, but are redeployed within the logic of governmentality. What Foucault lacks is a theorisation of resistance that is not of the order of what is, of the state of things.

Badiou's politics is different from the Foucault-inspired politics that sheds light on practices of power, analyses configurations of security and risk and makes explicit the existence of gaps or contradictions where the resistance of the subject can gain ground. True political sequences are 'excepted' from the social (Hallward 2003: 26). Politics is not a question of what is, but of what can be brought to bear upon what is, to disrupt it. His politics breaks with the idea of showing the structure of things, politics is that which happens, which interrupts the structure and its logic. Politics cannot be derived from the order of necessity; it is of the order of what happens. Politics is about searching within a situation for 'a possibility *that the dominant state of things does not allow to be seen*' (Badiou 2004a: 82/emphasis in original).

While it is important to be aware of the technologies of power and, specifically in the case of human trafficking, of the practices of risk management which make women

⁴⁶ Given that he understands situations as indifferent multiplicities, Badiou relies on mathematics for the understanding of ontology. Mathematics appears as a modality of thinking multiplicity without any predicates. The mathematical side of Badiou's philosophy is less important for my purposes, as I rely on his understanding of situations. I accept the basic premise that situations cannot be closed, although the state of the situation attempts to close the multiplicity of presentation.

specific categories of risky victims, such a politics remains of the order of what is. It locates existing technologies and practices, but is unable to gauge the transformative potential of any practices. If women refuse to be victims, then they are either illegal migrants to be expediently deported or traumatised victims who have not come to terms with the violence inflicted upon them. What would disrupt these forms of representation and the interventions they buttress, what would unmake the depoliticisation of victims of trafficking and their subjection to practices of security?

Such a politics does away with governmental representations and is harnessed to the excess of a socio-historical situation. Žižek has succinctly and explicitly formulated the meaning of excess in Badiou's philosophy:

The 'Excess'... takes two forms. On the one hand, each state of things involves at least one excessive element which, though clearly belonging to the situation, is not 'counted' by it, properly included in it (e.g., the 'nonintegrated' rabble in a societal situation): this element is presented, but not re-presented. On the other hand, there is an excess of re-presentation over presentation: the agency which brings about the passage from situation to its state (State in society) is always in excess relative to what it structures...[State power] never simply and transparently re-presents society, but acts as a violent intervention in what it re-presents (Žižek 1998a).

The specificity of Badiou's position consists in this doubling of excess, as both the element excessive to the situation and the event that ruptures it. Nevertheless, Žižek is wrong to equate Badiou's 'state of the situation' with the State. Badiou plays on the difference between 'état' (state) and 'État' (State, although English does not capitalise the noun) and makes the State equivalent to the state of the situation, to the ordering of people and things in a situation.

Politics is linked with the localisation of excessive subjects, subjects in the margin of a situation and of forms of action that would disrupt the excesses of the state. Excessive subjects are terms that cannot be organised as part of a situation (Hallward 2003: 100), while politics as defined as evental excess. Before Badiou, Deleuze had also understood that there is another challenge to power relations that is not framed as subjective resistance. Deleuze is worth quoting at length here as he clarifies the difference between subjectification (in my terminology)⁴⁷ and events:

It definitely makes sense to look at the various ways individuals and groups constitute themselves as subjects through processes of subjectivation: what counts in such processes is the extent to which, as they take shape, they elude both established forms of knowledge and the dominant forms of power. Even if they in turn engender new forms of power or become assimilated into new forms of knowledge... One might equally well speak of new kinds of event, rather than processes of subjectivation: events that can't be explained by the situations that give rise to them, or into which they lead (Deleuze 1995: 176).

Unlike Deleuze, Badiou connects processes of subjectification and events. Subjectification is not simply resistance to relations of power, but the creation of a collective political subject that suspends classifications and representations. A political subject emerges through 'fidelity' to a political event. This subject is not a-relational, but comes into being from a specific relationality to what Badiou has called the socio-historical situation. Badiou does not want to replicate an analysis of power/knowledge, as politics is subtraction from history, i.e. from any particular regimes of power/knowledge, a particular status quo or a situation (Badiou 1992: 36). A situation is composed of the knowledge that circulates in it

⁴⁷ I use the distinction subjectivation/subjection and subjectification to refer to the process of becoming subjected to power and of becoming a subject by resisting power respectively. Although the two are closely intertwined in Foucault, this distinction is at the heart of the concept of politics proposed here.

and assigns a place to different sub-sets/categories. 'The state of the situation is the operation which, within the situation, codifies its parts as sub-sets' (Badiou 2004b: 154).

The 'state of the situation' can be conceptualised as similar to Foucault's notion of power/knowledge or governmental practices. Although Hallward has criticised Badiou for lacking a concept of hegemony à la Gramsci or of power à la Foucault, I read Badiou's definition of the 'state of the situation' in Foucauldian terms. After all, Badiou makes clear that the situation is structured by virtue of knowledge (*savoir*) and it is impossible to de-link *savoir* from the Foucauldian power/knowledge. The role of representation and of the state – which is the power of representation – is to turn inconsistency and disorder into consistency. The role of the state is therefore one of ordering, expelling excess, making secure. In this sense the state is always characterised by an excess of power, an excess that can be made visible in a political event.

If the situation can be read as Foucauldian, the event goes beyond power/knowledge. 'Events are irreducible singularities, the "beyond-the-law" of situations' (Badiou 2002a: 44). Both excessive subjects and events are non-representable in the order or structure of the situation. Contrary to Foucault, subjectivation (becoming subjected to power relations and a constituted subject) is not immanent to subjectification (becoming a subject by resisting such power relations and refusing the given constitution) as resistance was immanent to power. Subjectification occurs through the mediation of a political event and fidelity to it. Moreover, Badiou's collective subjectification involves excessive subjects that are not represented in a situation, subjects whose existence can only appear as non-existence, as negation in a situation. Badiou makes a distinction between presentation (being in a situation) and representation (the process of counting the elements of a situation). Representation means the imposition of consistency upon the inconsistency (disorder) of presentation. Every situation is doubly structured: there is presentation and representation (Badiou 1988: 110). The glossary to *L'Être et l'événement* defines the excess as the difference without measure or the power difference between the state of the situation and the situation, or between representation and

presentation. Governing a socio-historical situation is a form of representation that reduces the disorder and multiplicity of presentation.

The theory of the event is an attempt to think the new in a situation. Yet, as Badiou has remarked in a recent interview, 'to think the new in situation, we also have to think the situation, and thus we have to think what is repetition, what is the old, what is not new, and after that we have to think the new' (Badiou and Bosteels 2005: 253). The event or the new requires an understanding of the situation, as structured by relations of power/knowledge. What is important is not to fold the event upon the relations of power/knowledge and their inherent contradictions or tensions. If power relations produce incoherences and inadequacies that can rupture the subject from her subjection, this would mean equating the event to the structure and bringing forms of collective subjectification back within the gaps of the situation.

Through the event, political subjectification transcends the logic of the situation and suspends its forms of representation and subjection. Hence, subjectification is not a question of inventing other forms of subjectivity, as these would be trapped within the particularity of a situation. Creating different forms of identification for trafficked women does not destabilise existing narratives about who trafficked women and illegal migrants as 'rational entrepreneurs' are. As the previous chapter has argued, women remain risky beings, embodying the danger of 'rational' projects of illegal migration. The particularity of identification brings it under the sway of governmental techniques, makes it representable and countable in the state of the situation.

Excessive subjects cannot be integrated within the representation of the state of the situation as they become political through an event that extricates them from particular governmental forms of representation. A political event occurs at the site that is symptomatic of the situation as a whole; it consists in a '*torsion* of the divided situation back upon itself, starting from the site of the event and moving in the direction of a generic extension of its truth as applicable to all' (Bosteels 2004: 160/emphasis in original). An event is attached to the *élément surnuméraire* of a situation or, in Žižek's terms, to the symptomatic element that has no proper place in the situation, although it belongs to it

(Žižek 1999: 140). The *proletariat* in Badiou's much-favoured example functions as this excessive element of the capitalist system. 'To *think* a situation [*penser une situation*] is always to go toward that which, in it is the least covered or protected by the shelter the general regime of things offers it' (Badiou 2000: 85).

A political situation of migration for example needs to be thought of from the point of view of *the sans-papiers*, the Israeli-Palestinian situation from that of the vulnerable Palestinians. In a situation, the element which is least sheltered is 'like a point of exile where *it is possible* that something, finally, might happen' (Badiou 2000: 85/emphasis in original). Despite the strict theoretical analysis of the excess, Badiou's political analyses often go back to a rather habitual understanding of vulnerability. While workers were represented in the historical situation of industrial capitalism, the proletariat did not exist as a collective subject and could only become so through its identification as the point of exclusion of the capitalism system. Excessive subjects cannot be defined in the terms given by the state of the situation. The situation of trafficking can be disrupted through the emergence of a subject that is the negation of the situation and that can therefore reconfigure the whole situation. A politics of emancipation does not start with victims of trafficking, but with subjects that would be excessive to this situation. The next section will attempt to locate this excessive subject from whose standpoint the situation can be re-wrung.

The logic of anomalous evental subjects has been cogently articulated by Žižek: '[w]here the logic of excluding a particular group is shown to be part of a wider problem, then you get a kind of distilled version of what is wrong with society as such' (Žižek and Daly 2004: 142). If not formulated from the position of the excessive element, but from that of a closed totality, the event becomes a simulacrum, reactionary and not progressive (Badiou 2002a). Thus, no change of the situation of migrants from the bias of a societal plenitude (e.g. what would be better for British people) can qualify as an event. Nazism was also the prototype of the simulacrum as it was an event that formulated fidelity to a social plenitude (the German people).

The event qualifies as *an immanent break*: it proceeds in the situation and it surpasses the situation (Badiou 2002a: 42/emphasis in original). As the event is a disruption, a challenge to the structuring of the situation, it also supersedes the situation and cannot be explainable in the terms of the situation. This disruption is not any formal rupture, its content is what distinguishes an event from its simulacrum. A political event is not only formulated from the position of excessive subjects, but it makes universalisable claims and it enacts equality. It is through its principles that political events appear as heterogeneous to practices of security.

As I have shown with CSS, security functions as 'barred universality', practices of security suspend the imaginary of everybody being an equal partaker of security. Challenging practices of security requires a double instantiation of universality. The event addresses everybody equally and is itself a verification of equality as the universal principle of politics. One need no longer wonder about the interest of politicians or other organisations in formulating different discourses – excessive subjects are the 'beyond' of the situation, they are not defined by interests given in the configuration of power relations. Unlike governmental analyses, an event is not caught within existing representations and their mobilisation by power. The enactment of equality requires subjects to dispense with the naming that is ascribed by the situation and changes the names of the elements in a situation. If ethical principles were radically different from the situation, the principles of an event are radically connected with the situation.

The situation of migration/trafficking and excessive women

The first chapter has shown that the literature on trafficking tries to subsume the definition of trafficking either under the definitions of migration, prostitution, organised crime or human rights. By ignoring the security framework, I argued, humanitarian approaches could not transform the structure within which trafficking is defined and managed. In Chapter 4 I have also shown that the imbrication of pity and risk technologies transforms trafficked women into 'risky beings', equally subject to pity and compassion, as well as technologies of containment and disciplining. The question became one of transforming

practices of security, given that security structures the situation of trafficking. I have considered in turn desecuritisation, emancipation, ethics, critique and resistance and analysed their impasses. Now I shall try to make sense of what Badiou's radical politics of rupture within a socio-historical situation means for trafficking in women. I shall consider the phenomenon of trafficking as a socio-historical situation, with the purpose of locating the excessive subjects starting from which an event can lead to the re-structuring of the situation and its constitutive practices of security.

As we have seen, every situation is doubly structured as presentation and representation. In Badiou's terms, the situation of trafficking is represented by a specific counting of trafficked women: those who are worthy of pity and those who are not, those who are useful for legal enforcement procedures against traffickers and those who are not. Those who have experienced horrific physical suffering at the hands of their traffickers are to be deemed worthy of pity. The counting of a situation leads to extremely inegalitarian positions. For example, the POPPY Project in the UK, set up to provide help for all victims of trafficking, is available to women who were brought to the UK and forced to work in prostitution and who have come forward, willing to co-operate with the authorities (Home Office 2004: 81).⁴⁸ Most NGO projects in Europe also work with the distinction between victims of trafficking and migrants. In its manual on developing National Referral Mechanisms (cooperative arrangements at the national level for promoting the human rights of trafficked persons), the OSCE places the process of 'locating and identifying likely victims of trafficking' at the core of anti-trafficking strategies (OSCE 2004: 16).

Victim identification appears as a fundamental problem, due to (or rather despite) the recognition that 'those caught up in human trafficking often do not want to reveal their status and experiences to the authorities (OSCE 2004: 17). Those who do not identify themselves as victims or cannot be identified as such by organisations mandated to

⁴⁸ The rationale for such discrimination is again one of risk management and containment. The Consultation Paper goes on to state that '[i]t is hoped that co-operation with the authorities will allow information to be gathered on the traffickers and so lead to the disruption of trafficking networks' (Home Office 2004: 81).

engage in the anti-trafficking struggle do not exist in the situation. Similarly, the EU proposal for a short term residence permit also discriminates among categories of 'worthy' and 'unworthy' trafficked women (European Commission 2002a). Those who are willing to cooperate with the authorities will receive a temporary residence permit. The granting of permits depends both on the decision of the authorities whether the presence of the victim is useful for the investigation and prosecution of suspects and on their judgement that victims have genuinely severed all links with the traffickers and are really prepared to cooperate. Those who are not useful or are not judged as 'real' victims are unworthy of residence permits. They disappear therefore from the situation as normal elements.

Thinking the situation of trafficking along the lines of an evental politics starts from the excessive or anomalous elements of a situation. Locating these elements is by no means equivalent to a contest between victims. What matters here is to locate the element that subverts the very logic of security. What is excessive in the situation of trafficking? Who are the women that continually fall out of the representational practices undertaken by different authorities? I contend that these excessive elements are the illegal migrant prostitutes. All other representations of trafficked women are exclusive of this element who-should-not-be-there. Trafficked women are victims worthy of pity, victims to be rehabilitated and reintegrated in society, victims traumatised by their experiences of violence. The illegal migrant prostitute does not deny the multiplicity of representations of trafficked women, but it constitutes the very limit of these representations. Illegal migrant prostitutes are not supposed to be there, they are illegitimate entrants in the situation of trafficking, excessive migrants who pursue economic interests. At the same time, they are the spectre of the very representation of victims of trafficking from which the latter must be repeatedly dis-identified.

Excessive subjects enter into a different relation with other elements of the situation than Butler's subjects/objects. In Chapter 2, the space of abjection was defined as the negation of the space of the subject. The constitution of a space of abjection excludes the institutional mediation of this constitution except as an abstract intervention. Yet, we have seen that security practices involve 'actors' – who are constituted

themselves in relations of power – as well as the creation of subjects to be made secure and abjects. Contrary to Butler's dichotomy of subject/abject, Badiou's situation can integrate all these elements and define their inter-relations. According to him, there are three modes of appearance in a situation: normality, excrescence (*excroissance*), and singularity (or excess) (Badiou 1988: 125). A normal element is both presented and represented in the situation. In the situation of trafficking, there is a double construction of normal subjects. On the one hand, there are the legally resident sex workers, the ones who are both presented and represented as endowed with agency. Every element of the category of legally resident sex workers belongs to the situation by virtue of their quality of citizenship. On the other, there are the victims of trafficking, those who are presented and represented as coerced and abused. The normal subjects of a situation do not refer to the governmental meaning of 'normalisation', but to what is taken to be the 'norm' of existence in a situation. Excrescence is represented but not presented in a situation. For example, the state and its institutions are represented but not present as such in the situation of trafficking. The police, immigration officials or even NGOs do not appear as elements of the situation of trafficking in the same way that traffickers or migrants do. Singularity is a term that is presented in the situation but not represented in it. Such an element only exists in the situation as a fundamental anomaly (Hallward 2003: 99), as an excessive subject. By not being represented, these subjects are excessive to the ordering power of the state of the situation.

Badiou's theory of the situation can be used as a cartography of the situation of trafficking. The relation between subject and abject is no longer at the heart of concerns with transforming practices of security. The situation appears now as tripartite, with multiple relations established between the normal and the excrescent elements, the normal and the singular and the excrescent and the singular. This analysis of the situation goes beyond the dualistic forms of relationality that security studies have dealt with. The self/other or subject/abject relation was mediated through institutions, through the excrescent elements. Badiou's cartography provides us with tools to understand the

differentiated relations between normal elements and institutions, between institutions and the anomalous elements and finally between normal elements and the anomalous.

Illegal migrants working as prostitutes are this element which is present in the situation but does not belong to it, is not represented as properly belonging to it. Or rather it only belongs to the situation by negation. Illegal prostitutes are those who should not be prostitutes and also those who should not be there. Illegal prostitutes cannot belong either to the category of sex workers or to the category of (regular or legal) migrants. They are an impossible category in the situation of trafficking: illegal migrants cannot be prostitutes, they are suspected victims of trafficking and vice versa, illegal prostitutes cannot be migrants as they have been abused and coerced into it. The category of illegal migrant sex workers is consistently dismantled within representations of trafficking. Trafficked women are represented as either unwilling, forced prostitutes or as unwilling, forced migrants. They are thus integrated as a specific subcategory of prostitutes and migrants.

In a different situation, that of society and its moral boundaries, the prostitute herself might be 'excessive'. As Jo Bindman has formulated it, '[s]ex workers, usually referred to as prostitutes, have occupied an anomalous position in societies throughout history... Outcast status denies them whatever international, national or customary protection from abuse is available to others as citizens, women, or workers' (Bindman 1997). Her statement is sweeping in its generalisation as prostitutes, by virtue of their citizenship, are represented in the trafficking situation. Prostitution has a more uneasy relationship with workers' and women's rights. The prostitute is the other within the categorical other, 'woman' (Bell 1994: 2). She is also the other of the 'worker', the one who is not willing to undertake proper work.

The excessive subject of the situation of trafficking is the illegal sex worker. Even if she can be counted in the situation as an innocent or coerced victim, forced prostitute or unknowing migrant, this count cannot make sense of women who engage in illegal processes of migration for the purpose of work. Trafficked women overwhelmingly report an intention to migrate to find work (Corso and Trifiro 2003). The category from which trafficked women are extracted is that of illegal sex workers. Yet, their constitution makes

the category of illegal sex workers impossible. The work of trafficked women is not work, they are not willing migrants, they have been coerced, forced, abducted or simply misled; in short, migration for work no longer counts. This is what is negated by the trafficking situation, although it is upon this very element that the construction of trafficking is built. Women who migrate for work are the symptomatic element of the situation inasmuch as they are 'absence embodied' (Hallward 2003: 90). Victims of trafficking emerge as a category only by the negation of the category of illegal migrant sex workers.

If prostitutes were excessive both to the representation of the worker and the representation of women, illegal sex workers are also excessive to the representation of the nation and state sovereign practices. The Home Office White Paper on migration, 'Secure Borders, Safe Haven' represents illegal sex workers as an excessive presence in a space that is forbidden to them (Home Office 2002). Berman has shown that the particular combination of the movement, 'race', and gender of migrant East European sex workers turns them into both an external and internal threat by 'disrupt[ing] the ability of the state to adjudicate membership in the political community' (Berman 2003: 59).

In the situation of trafficking, the prostitute becomes normalised against the representation of illegal sex workers. The prostitute becomes the normal case of the 'free' woman choosing its occupation against the potentially 'forced' foreign and illegal prostitute. Extracting the category of trafficked women from that of illegal sex workers generalises suspicion to all foreign women who do sex work. The relation between the normal and the excessive elements is presented as one of antagonism. In an article on the legal debates in Sweden, Arthur Gould has quoted from a tabloid such an antagonistic representation of the situation of prostitution:

Without exaggeration one can say that there is an invasion of foreign girls... They are exploited by pimps, mistreated by their clients and spread life-threatening diseases... Girls from the east have no tradition of using protection... They are used to unprotected sex and bring this tradition further into Sweden (quoted in Gould 2002: 206).

Recently, *The Economist* has also presented similar arguments concerning the 'influx' of foreign prostitutes in the UK. The arrival of large numbers of foreign prostitutes is apparently causing complaints among London prostitutes (The Economist 2004: 30). The antagonistic presentation of the relation between legal prostitutes (citizens or legally resident) and illegal sex workers reiterates the discriminatory logic of the state. This discriminatory logic finds its echoes into the logic of the market. As there is competition between prostitutes for clients and prices are going down because of the 'cheaper and more varied offer' of foreign prostitutes, this statist distinction between legality and illegality is served to justify a 'monopoly' position of legal prostitutes. Any possible common fight between the legal and illegal prostitutes seems impossible in this situation. Politics itself – in Badiou's understanding – would become impossible given the antagonistic representation of the situation.

Principles of the event: universality and equality

Political events do not only start from the excessive element of a situation. According to Badiou, they are not simply formal, but are given content by two principles: universality and equality. Through the mediation of events, subjects achieve forms of political subjectification that are predicated on universality and equality. If excess subjects engage in the transformation of the situation from outside the governmental regime of representation, universality and equality suspend the possibility of incorporating resistance into a particular regime of governmentality.

Universality and equality as the principles of a political event reformulate the poststructuralist politics of formal contestation and agonism. Formulated on the antagonistic model of legal versus illegal sex workers discussed above, resistance to an institutional order becomes itself a practice of security. An event is not everything that happens, not any form of resistance. As already argued, an event only emerges in connection to the excess of the situation and it is based on the principles of universality and equality. Badiou opposes all situations of domination by invoking a strictly egalitarian politics inscribed in

the event. Equality needs to infuse a strict politics of non-domination that addresses everybody in a situation.

Universality is understood only from within the situation and refers to an event that addresses every person present in the situation. This address is not in terms of the particularities of those present, but entails a 'subtraction' from particularity. Badiou agrees that the universal cannot mean the sublation of all particularity and in this sense joins the poststructuralist critiques against the domination of universals which are actually exclusive of particularities. Yet, Badiou's argument goes further inasmuch as he criticises respect for particularities (Badiou 2004b). Respect for particularity still has to construct hierarchies of particularities, to delimit good and bad particularities. The respect for difference or particularity only applies to those differences that are consistent with a tolerant identity (Badiou 2002a: 24). The much-vaunted liberal concept of toleration is limited in its universal deployment by those who are not tolerant themselves. To translate it in security terms, anybody can claim security, except the dangerous. The claims for security are limited by the practices of securitisation and risk management.

After the poststructuralist criticism of universality, Badiou's endorsement of the universal might strike us as old-fashioned, but it is a reaction to the problems that particularities have raised for poststructuralist political projects. After all, we have seen in Chapter 4 that particularities are always a matter of government. Subjects of government are always classified and represented in their particularity. Badiou therefore maintains that 'every universal presents itself not as a regularization of the particular or of differences, but as a singularity that is subtracted from identitarian predicates; although obviously it proceeds via those predicates' (Badiou 2004b: 145). The universal of the event proceeds through a subtraction from sociological predicates towards and enactment of 'sameness'. Politics is always divorced from identitarian predicates, from particular identifications that integrate subjects in a governmental regime.

'Identity politics', Hallward has noted, is a contradiction in terms (Hallward 2002). An event disrupts a certain situation by virtue of a principle that needs to hold to all members of a situation. Identitarian predicates cannot hold for the whole of community,

they cannot address everybody. Politics can therefore never be linked to a social or economic expressivity (La distance politique 1991), to interest or position within the social fabric. Moreover, identitarian predicates cannot break with the dominant forms of representation as these are caught within governmental representations and interventions. Identities are particular and unequal, while politics is defined by the principles of universality and equality.

However, universality does not mean subordinating the particularity of political sequences to universal moral judgements (Hallward 2003: 258) anymore than it means the sublation of particularities. Any assertion of the type 'violence is always wrong' or 'suffering is always bad' will blind us to the requirements of the political situation to which we should attend. The universal that Badiou has in mind can only emerge from the particularity of that situation; an event would only use the elements and tools internal to the situation and could not appeal to universal principles of morality/ethics. For him, there is no infinite responsibility to the other that applies independently of the particulars of a situation. Universality has to remain open, otherwise the event risks becoming a simulacrum. 'If the universal is for everyone' – Badiou implacably asserts – 'this is in the precise sense that to be inscribed within it is not a matter of possessing any particular determination' (Badiou 2004b: 151). Political movements need to be indifferent to social, national, or sexual predicates, be 'indifferent to differences' (Badiou 2002a: 27). The indifference to differences consistently defines politics from the emergence of an event to the fidelity to its consequences. Events are subtracted from the regime of governmentality both formally through their linking to the excess and with respect to content through its principles.

The other principle that gives content to politics is equality. Equality is Badiou's chosen 'word for politics' due to its abstraction; equality does not presuppose a closure, does not qualify the terms it refers to and does not prescribe a territory on which to be exercised (Badiou 1992: 242). One can think of governmental practices that structure and order the social as hierarchical relations and of the event as an egalitarian break. In a lecture on 'Philosophy and politics', Badiou has argued in favour of equality against other

possible words for politics, namely community and liberty (Badiou 1992). Rethinking 'community' as more open and less exclusive has been an important way of reconceptualising politics from liberal political theory to deconstruction and poststructuralism (Agamben 1993; Nancy 2001). Badiou has argued that the word is incapable of sustaining a politics of emancipation, even if it implies an impossible closure. 'In whichever form', he stresses, 'the word community still contains the supposition of a real being of justice in the form of a collective which is its own truth' (Badiou 1992: 222). Community would therefore still contain the promise of a future embodiment of real politics. Embodied politics is not politics, as politics is of the order of what happens, of the event.

Similarly, Badiou is wary of freedom as a concept that has been captured by liberalism, by the ideology of commercial and parliamentary freedoms.⁴⁹ Freedom can only become of use for politics if it is reconstructed from a different angle, if it is subordinated to another word (Badiou 1992: 247). He does not attempt, however, to engage with the possibilities of thinking to what words liberty could be subordinated and directly moves on to favour equality. Equality is the word for politics inasmuch as it does not suppose an achieved totality (*totalité advenue*) (Badiou 1992: 246). Given the importance that freedom holds in the context of security practices as well as the ontological principle of the modern subject, the next chapter will engage with the relation of liberty, equality and security. In this chapter, I shall explore equality as the content-filling principle of politics.

Equality is de-linked from the social, from the idea of redistribution, solidarity or the state's solicitude towards difference, as any programmatic use would entail a closure of equality upon identity or community. Equality must not be equated with equality of status, of wages, of functions or even less with the supposedly egalitarian dynamics of contracts and reforms (Badiou 2004a: 71). It cannot be objective and it has nothing to do with the social. Any definitional and programmatic approach to equality transforms it into a

⁴⁹ Chapter 7 will explore in more detail Badiou's discontent with 'liberty' as a word for politics and the role that liberty can play against security, as security has been thought to enter a trade-off with liberty.

dimension of State action (Badiou 2004a: 73). It is, according to Badiou, a political maxim, a prescription, not 'what we want or what we project, but what we declare in the heat of the event, here and now, as what it is, and not what it should be (Badiou 2004a)⁵⁰. It is a starting and not an ending point, the objective of political action. As equality cannot be closed and it is indifferent to all particularity and representation, it is universal. The poststructuralist criticism of universality has concerned its 'false' embodiment in a particularity that becomes the stand-in for universality. Through the predication of equality, universality cannot be closed, but remains open to the contestation of equality. The principle of equality sustains the non-identitarian politics of excess. Is there a politics informed by universality and equality possible in the situation of trafficking? I have shown that the situation has as its excessive subjects illegal migrant sex workers. The next section will explore how equality and universality have been formulated in this situation.

The universality of work and its equal subjects

Human trafficking has become visible as a form of illegal migration, transnational organised crime and prostitution, a threat to Western states and societies. At the same time, human trafficking has been gradually visibilised as a threat to the women who have fallen prey to networks of traffickers. This logic of double threat (to states and women) led to an impasse as those who were supposed to be saved (trafficked women) were actually the illegal migrants and potential criminals that states were supposed to neutralise. The 'half-hearted' protection of women (Pearson 2002: 56) was the logical outcome of the impossibility of reconciling these security concerns.

Rather than thinking human trafficking as a complex security issue, the challenge is to think it politically and especially to think an event that would disrupt the structure of the situation in which illegal migration and foreigners are constructed as a threat to Western states. Women's suffering, no matter how intense or life threatening, does not displace the logic of threat that governs illegal migration. Following Badiou, the situation of

⁵⁰ Translation mine. Feltham and Clemens translate it as 'under fire of the event' (Badiou 2004a).

trafficking needs to be thought from the perspective of excessive subjects, of illegal migrant sex workers who are anomalous in the situation of trafficking. Although serving both as a pool for identifying victims of trafficking and as the spectre of the other from which victims must be dis-identified, illegal migrant prostitutes are not co-extensive to victims of trafficking.

The shift from victims of trafficking as subjects of pity and suffering to illegal migrant sex workers moves us not only from the normal to the singular or excessive elements but makes possible an understanding of the radical transformation in the trafficking situation. Although they exist in the situation either as 'bogus' victims, the 'happy hookers of Eastern Europe' (The Spectator 25 April 2003: 25), or as illegal migrants, foreign prostitutes are represented in their negativity, as the ones who should not be here or who have got here only by being coerced, forced or deceived.⁵¹ It is only logical that they should be either voluntarily sent 'home' or deported.

Although studies on trafficking have pointed out that anti-trafficking campaigns serve to reinforce stricter migration control and to make migrants even more vulnerable (Deimleiter 2001; Sharma 2003), their criticism has hardly had any impact on practices. Similarly, anti-trafficking campaigns have been shown to entail pernicious consequences for prostitutes (Doezema 2002). Criticism against anti-trafficking measures on grounds of the effects that these entail for specific categories has not challenged the governmentality of trafficking. Such criticism has disallowed any commonality between sex workers and victims of trafficking, creating another form of antagonism besides the antagonism of the market. In this account, the rights of sex workers are threatened by the anti-trafficking campaigns, while the rights of victims of trafficking are threatened by the very existence of prostitution.

Moreover, the division between prostitutes and 'trafficked women' in terms of the effects that anti-trafficking measures have on prostitutes only serves to reinforce the state division between legal and illegal migrants/workers. The antagonism of the market and

⁵¹ The European Council Framework Decision on combating trafficking in human beings defines trafficked women as victims of coercion, force or threats, including abduction, deceit or fraud, abuse of authority or vulnerability (European Council 2002).

that of rights is embedded in a construction of migration as the more general context of human trafficking. As the European Commission's proposal for a Council Directive on short-term permit to stay for victims of trafficking has made clear, the same permit is to be granted to victims of action to facilitate illegal migration who cooperate with the authorities. According to the proposal, these two actions (trafficking and illegal migration) overlap in practice and measures for the prevention of trafficking have the aim to step up the fight against illegal migration (European Commission 2002a). As I have argued in the first chapter, trafficking is vectored by the construction of migration as a security issue. Unmaking the security vectoring of trafficking requires the simultaneous challenging of security vectoring of trafficking, migration, prostitution, organised crime, and human rights.

These divisions and antagonistic relations between sex workers, migrants and victims of prostitutes can be surpassed exactly from the perspective of illegal migrant sex workers. In the UK, repeated raids have led to detention of all foreign sex workers under the suspicion of having been trafficked. On such an occasion, the Evening Standard reported that the women taken into custody were born abroad with most coming from Eastern European countries (CNN 2001). In February 2001, the English Collective of Prostitutes tried to stop deportations of women who said they were working independently and earning money to support themselves and their families (International Prostitutes Collective 2001).

What has made possible this form of organisation is the egalitarian claim that all prostitutes (be they foreign or not, illegal or not) are workers. This claim is clearly opposed to facts and 'impossible' in the current situation. As any political event first disrupts that situation, the claim that all prostitutes are workers not only re-names all actors in the situation, but in doing so, it makes differences indifferent. The differences that count for the governing of human trafficking, those between foreigner and native, legality and illegality are done away with. The event also names a wrong that is being done to prostitutes by not considering them as workers and not acknowledging them worker rights as well as for trafficking as a form of exploitation. Foreign prostitutes as workers function as a 'symptomal torsion' of the situation inasmuch as they make visible both the

exploitation entailed by the recognition of only certain forms of work as legitimate and inegalitarian state practices towards foreigners.

My argument that prostitution-as-work can function as a political event differs from the significant feminist literature which has debated the issue of whether prostitution is/should be work (O'Connell Davidson 1998; Pateman 1988). According to Maggie O'Neill, feminist analyses have pointed out the social inequalities to which prostitutes are prey and the reproduction of patriarchal hierarchies (1997). From this standpoint, prostitution could be revelatory of all social relations. In one approach, prostitution was thought to be a condition 'true' of all other women. The exploitation that took place in prostitution was just another form of the exploitation of women generally.

Counting all women's work, including sex work, is a strategy for crossing the divide between sex workers and other women. It strengthens all women's case for compensation, in the form of increased benefits, wages, services and other resources, for the poverty and overwork which have been forced on most of us – the economic power to refuse all forms of prostitution (English Collective of Prostitutes 1997: 100).

When considered from a sociological point of view, such a declaration entails the question whether all other work is similar to prostitution. Much of the feminist debates have focused on the difference between prostitution and other types of work, and the main stances on prostitution are derived from this initial argument. The abolitionist perspective sees 'prostitution as slavery' (Barry 1995) and degradation of women. The 'work argument' sees prostitution as simply another form of work. Such different approaches to prostitution have been supported by the specific experiences in prostitution; the prostitute body has been contestedly represented as a site of work, a site of abuse, power, sex, addiction, and even pleasure (Bell 1994: 99).

Arguing in favour of prostitution as similar to other types of work or other types of work as similar to prostitution (on the side of the defenders of the sex industry) does not

lead politically anywhere, as the debate remains entangled in comparisons and analogies that only show differences and similarities. Prostitution is and is not like other types of work: endless sociological comparisons do not provide any answer to the situation in which trafficked women and prostitutes find themselves nowadays. What counts is not whether prostitution is or is not work, is or is not similar to other forms of work, but whether naming it publicly as 'work' has any political potential. Similarity or dissimilarity to other types of work, analysed with the tools of sociology, does not tell us anything about the political potential of prostitution-as-work. Hilary Kinnell from the UK Network for Sex Work Project (UKNSWP) refuses either the equation of all work with prostitution or the acknowledgement that prostitution is a job like any other. She also speaks about 'the total disregard of many anti-trafficking programmes for not only the choices and aspirations of the women and girls targeted, but also for the most basic economic and social realities of their lives' (Kinnell 2002).

The European Parliament motion for a resolution on the consequences of sex work in the EU shows the impossibility of deciding what prostitution is based on knowledge. There have been no less than seven amendments proposed in the Committee for Women's Rights and Equal Opportunities, all of which are incompatible to one another (European Parliament 2004). One amendment claims that a clear distinction must be drawn between enforced prostitution, enforced migration and slavery, as the empowerment of individual women – with the aid of state bodies – even vis-à-vis the state, may lead to a self-determined life and career. Another amendment sees the sex industry as having an adverse impact on equality; because it is based on the pursuit of profit by focusing on buyers as a target group (generally men), it constructs an image of unequal relations between men and women (and increasingly frequently also children), in which women are presented as objects for consumption, domination and exploitation; because this industry normalises sexual violence, it undermines all the efforts which the EU and its Member States have made to give women and men fundamental human rights. The sex industry is deemed to promote and help to create and maintain men's aggression and women's commercialisation. Or, in another amendment still, the sex industry can be

defined as an undertaking which legally or illegally puts on the market sexual services and/or products for profit-making.

We are here in a zone of the indiscernibility of knowledge where political action is needed. Hallward has persuasively formulated this task of political thinking and acting: 'If there is a task specific to politics, it must be to articulate and impose collective principles that break with the infinite complexities, the interminable "negotiations" of culture and psychology' (Hallward 2001: xx). Prostitution-as-work breaks with the complexities of knowledge and with the differences that are always to be discovered in analogies between prostitution and other forms of work. Prostitution-as-work redefines the situation of trafficking from the standpoint of illegal migrant prostitutes. Yet, this redefinition that brings to the fore those that counted for nothing in the situation of trafficking also reconfigures the relations to other elements in the situation. Claiming prostitution-as-work can function as a true rupture in the situation and be emancipatory for women who are otherwise left to the exploitation of traffickers. In this reconfiguration of the trafficking situation, victims of trafficking are not potential harbingers of dangerous irruptions, but equal workers who can claim rights. Forms of abuse and exploitation that had defined 'victimhood' are now assessed from the standpoint of the worker.

The argument in favour of the political potential of prostitution-as-work in the situation of trafficking does not mean that issues about the exploitative aspect of prostitution itself are closed. Acting in favour of prostitution-as-work also means thinking about its effects in a different situation and struggling for more egalitarian forms of work. In a letter to the organisers of the European Conference on Sex Work, the representatives of the English Collective of Prostitutes note that

[economic] alternatives can only help all of us, whether we want to work in the sex industry or not, to combat violence and discrimination. We do not need to glamorise sex work to get recognition for the rights and skills of the workers who do it. Most other work is not glamorous and workers don't have to claim to love their jobs in order to get recognition as

workers. Let's not lower our working class standards (Adams and Mitchell 2005).

Prostitution is reclaimed as a form of labour and this re-naming is related to struggles for the 'recognition of women's work, for basic human rights and for decent working conditions' (Kempadoo 1998: 3). The sex workers' claim that 'we are all workers' – in a form of universal address that refuses to distinguish between native and foreign prostitutes – also points to the gap between rights granted to those who do 'respectable work' and the non-rights of prostitutes. As workers, foreign prostitutes can claim rights by virtue of their work and not their nationality. Kinnell has argued that 'to denigrate women's choices as self-delusional or based on "false consciousness" is not feminism but fascism' (Kinnell 2002).

Reclaiming prostitution as work has to preserve its element of universality and avoid the closure that partial state recognition of work rights can entail. Work is not a particular identification, it cannot be closed and remains subject to contestation. States, however, attempt to close or exclude considerations of work. Even where discussions about prostitution-as-work are rendered acceptable by the state, such acceptability is limited to 'regulation'. Regulation or legalisation refers to a system of criminal regulation and government control of prostitutes; some prostitutes are given licenses to work in specific and limited ways. Such laws regulate prostitute businesses and lives, prescribing health checks and registration of health status, telling prostitutes where they may or may not reside, etc. (Prostitutes' Education Network 2004). Against such system of state control, activists ask for the abolition of laws against prostitution (English Collective of Prostitutes 2004). In response to the recent consultation paper on prostitution issued by the Home Office, 'Paying the Price', Cari Mitchell, from the English Collectives of Prostitutes has argued that the licensing of brothels is used by the police to crack down on immigrant women. As they can't get a license, they are forced underground and become easier targets for deportation (Mitchell quoted in BBC 2004).

The political event of claiming that prostitution is work functions both as the verification of equality (if we are all workers, then worker rights should apply to us too!) and as a form of universal address in the situation of trafficking. By renaming trafficked women, legal and illegal prostitutes as workers, the event disrupts the power relations governing human trafficking. It does so by claiming a new capacity for all prostitutes, legal or illegal, foreign or not. The enunciation of prostitution-as-work challenges state practices against both legal and illegal prostitutes. It shows that an inegalitarian stance leads to increased exploitation of both legally working prostitutes and illegal migrant prostitutes. As the phenomenon of human trafficking takes place in the shadows of the illegality of migrants and the criminalisation of prostitution, the equality of the worker disrupts trafficking as a continuum of migration, prostitution, organised crime and risk. Claiming prostitution as work also reconfigures the situation of abuse and coercion in which many trafficked persons have found themselves. Prostitution-as-work redefines the situation of trafficking from the standpoint of work and therefore suspends the inegalitarian conditions that have been conditions of possibility for abuse and exploitation of victims of trafficking.

Prostitution has been largely unacceptable as a form of labour because it makes explicit the exploitation the market can lead to. On the one hand, prostitution as work points to the hypocrisy of liberal capitalism which accepts certain forms of labour while disregarding others. The idea of the market as the ordering function of society implicitly contains the idea that human beings are marketable beyond their 'labour force'. Rather than a benign force, the market does not distinguish between the demand for beauty products, human organs or sex for that matter. On the other, it shows that state boundaries and the creation of the national labour force is a form of protection against the effects of capitalism. As this research is concerned with how practices of security can be unmade by a politics of universality and equal subjects, it will not engage with the logic of capitalism. It is nonetheless important to bear in mind that security practices attempt to make invisible the logic of capitalism through the divisions and distinctions they create within the working force. Exploitation always happens to others, to illegal migrants or trafficked women, it is no longer linked with the function that labour plays within capitalism.

Alienation and exploitation appear as no longer connected with labour in capitalism – especially when millions of other people would be willing to work under the conditions of Western capitalism.

Having recast prostitution-as-work within the situation of trafficking does not mean that work does away with any exploitation or that work in general would not be a form of exploitation and oppression. After all, labour is also a biopolitical technology of governing. However, a universalising claim for prostitution-as-work allows not only for egalitarian claims of illegal migrant women to be enacted but also shifts the description of trafficking towards that of labour exploitation. I do not deny that prostitution can entail forms of more serious exploitation than other types of labour. Prostitute activist networks themselves do not only claim prostitution-as-work, but attempt to find economic alternatives to it. Several activist groups that work with sex workers and illegal migrants in Europe, independent of the conditions in which they have arrived in the EU as well as the conditions of their work, have pointed out the need for alternatives that would allow women to move out of prostitution. The English Collective of Prostitutes in the UK, Cabiria in France, Comitato per i Diritti Civili delle Prostitute in Italy do not draw distinctions between the legal and administrative categories of migrant sex workers.⁵²

The equality and the universality of work have the potential to radically change the situation of trafficking. Rather than described and divided in categories of legal sex workers, trafficked women, and illegal migrants (prostitutes), the situation of trafficking is rethought from the standpoint of equality. Trafficked women can no longer be extracted from the category of illegal migrant workers, while work creates a common struggle between sex workers and 'victims of trafficking'. A political event like the claim for prostitution-as-work renames subjects and radically challenges the security practices that were governing the situation of trafficking. This does not mean that 'workers' or 'sex workers' cannot become names in other security practices at some other point.

⁵² For Cabiria, see <http://www.cabiria.asso.fr/> (accessed 20 April 2006), for English Collective of Prostitutes, <http://www.allwomenscount.net/EWC%20Sex%20Workers/SexWorkIndex.htm> (accessed 20 April 2006), for Comitato per i Diritti Civili delle Prostitute, <http://www.lucciole.org/> (accessed 20 April 2006).

Nevertheless, the equality of work and its universal application allow for political actions to take place. As workers, subjects can be political rather than medicalised, psychologised and traumatised victims.

Conclusion

This chapter has argued that the philosophical conceptualisation of the excess as that which goes beyond power relations could be used to understand a politics of change for trafficked women that is heterogeneous to dominant practices. Excessive subjects, subjects that are anomalous to a situation and have no place within the representation of the situation, can disrupt the existing structure, as argued in relation to illegal migrant prostitutes. Political events are local formulations of political names, names which are heterogeneous to the state of the situation, followed by fidelity to these formulations. I have shown that illegal migrant sex workers, although present in the situation of trafficking, do not belong to its representations or rather only exist through negation. They should not be there – unless having been trafficked – and should not be prostitutes – unless legal residents. 'Work' redefines the situation for illegal migrant workers and turns all these different categories into the sameness of the 'worker'. As all these categories are figures of the worker, all these categories partake of equal rights. Unlike security, equality is a universal formulation without a closure. Following Badiou's concept of politics, equality is enacted by subjects who become political in their fidelity to an event.

What CSS and their equation of emancipation to security have missed is the element of universality that a politics of emancipation entails and that security lacks. Security cannot be democratised, it cannot be universally partaken of. Its fiction is sublated by practices that divide and exclude categories of subjects deemed dangerous or risky. By not looking at the effects of security at the subjective level, desecuritisation also misses the element of struggle and emancipation. A politics that would unmake securitisation is a politics formulated from the site of the excessive subject, of those who do not belong to the situation. An analysis of security practices as proposed by Bigo keeps us within the limits of 'what is' and of what security experts do. Yet, it is not

competing knowledge that can challenge the knowledge of security experts and their practices – subjects that name themselves as equal subjects in politics can radically suspend professional knowledge.

Badiou's conceptualisation of a politics of emancipation allows us to think both a more complex situation and the disruption of this situation. The situation is defined as relations between normal, excrescent and excessive elements beyond the dichotomical relation subject/object. Through the excrescent element of the state and bureaucracies, it has introduced the institutional mediation of practices of subjection. Although normal and excessive elements are differentially governed, Badiou's cartography of the subjects in a situation allows us to understand the specific position of those who should not be there, who represent the negation of the situation. Moreover, the principles of a politics of emancipation are heterogeneous to the governmental practices of security inasmuch as they destroy the division between the normal and the excessive. They also disrupt the relation of knowledge that the excrescent element had with the normal and the excessive elements by instating equality. Division becomes equality and exclusion is replaced by universality. Yet, can these political events only exist at a distance from the field of experts, only at a distance from the state? Badiou's politics would appear to be a form of organisation at a distance from any state institution. Illegal migrant prostitutes have however emerged as equal political subjects exactly in institutional locations and have made their claims inscribed in law. The next chapter will analyse what these institutional forms of action entail for a politics of emancipation. Can politics be restricted to forms of self-organisation by excessive subjects?

VI. Rehistoricising the excess: emancipation and transformation

Introduction

The previous chapter has shown that a disruptive political move to unmake security practices along the lines of Badiou's theorisation of politics is informed by the principles of equality and universality, and is connected with the supplementary, the supra-numerary element of a situation, the very limit of a situation, an anomalous presence in a situation governed by security practices. A politics harnessed to the excessive elements of a situation is radically different from the forms of politics articulated in security studies and international relations. A speech act analysis of security functions as a conservative, order-preserving politics circumscribing its analysis to the sphere of speakers of security. The CoS have been concerned with speakers and their audiences, to what is given in a situation. Even Butler's interpretation of speech acts as performatively constitutive of spaces of abjection that could become spaces of resistance does not account for emancipatory politics as radically heterogeneous to practices of security. Similarly to the CoS, a Bourdieuean analysis of the security field is restricted to actors and their *habitus*, i.e. the visible and invisible structures of power. I have shown that the subject of a politics of emancipation that disrupts security practices is the excessive element in a situation such as the security-governed situation of trafficking. A politics of equality and universality, formulated from the standpoint of excess, suspends differential forms of subjectivity and reconfigures the tripartite relation between excrescent, normal and excessive elements in a situation.

Following Badiou, the collective subjectification of those who are excessive can open the space for a disruption of security. The theorisation of the excess has allowed me to move from the terms in which the situation of trafficking is governmentally represented, from trafficked women, to workers. Those who were not supposed to be there due to

illegality and were not workers due to involvement in prostitution enter the situation of trafficking as equal workers. We have seen that trafficked women are not dangerous as 'victims', as coerced, abused, or exploited migrants. They are dangerous inasmuch as they embody the permanent risk of the illegal migrant prostitute, inasmuch as they reactivate the category from which they have been extracted and from which they should dis-identify. Victims of trafficking are other-than-illegal-migrant-prostitutes, while simultaneously dangerously close to the later. Analyses which attempt to think alternative possibilities of subjectification do so by reducing it to private strategies of resistance that can be incorporated within securitising discourses and practices. Moreover, most attempts to unmake security practices would not consider how to unmake the exclusionary logic of security. If ethical approaches are acutely aware of the need for radical principles of politics, the link between radical principles and existing practices remains unclear. A politics of emancipation thinks the link between its principles and the situation.

I have shown that the predicate of 'work', 'worker' – when claimed by prostitutes and trafficked women – introduces a radical claim of equality within the inegalitarian sovereign definitions of citizenship and governmental practices of risk management. The claim of equality turns trafficked women from illegitimate intruders into the political community of Western states into visible speakers and equal partakers of the community of workers. Through the body and voice of sex workers, the migrant other becomes a sharer in the community as a worker. Rather than radical alterity, the foreign sex worker becomes collectively subjectified together with all other sex workers. They are the subjects of their own emancipation, contesting the situation which divides them into antagonistic categories.

The claim to work introduces an unexpected and in this sense eventual claim within the state of the situation. The dangerous or risky trafficked women are migrants crossing borders and risking their lives in search of work, those who might return even if deported to their countries of origin, rehabilitated and reintegrated within the normal. Rather than the predicate of inequality between high-skilled and low-skilled migrants, legal and illegal,

work becomes the signifier of equality, the possibility of collective subjectivation beyond sovereign and governmental categorisations.

According to Badiou, this politics is enacted through forms of collective organisation at a distance from the state. The distance from the state is however not a form of anti-statism, it is a politics enacted at a distance from state institutions. As Badiou has summarised the stakes of the situation of the *sans-papiers*,

Considering the fate of the *sans-papiers* in this country, a first orientation might have been: they should revolt against the state. Today we would say that the singular form of their struggle is, rather, to create the conditions in which the state is led to change this or that thing concerning them, to repeal the laws that should be repealed, to take the measures of naturalization (*régularisation*) that should be taken, and so on (Badiou 2002c: 98/emphasis in original).

A politics of equality and universality makes prescriptions against the state, it brings the state within its political field without participating in the state and its institutions. Yet, a politics that enacts equality and claims the equality of work is not exclusively enacted at a distance from the state institutions through collective subjectification. In his political practice, Badiou has a rather reductionist understanding the excrescent or the institutional element which is not presented but represented in the situation. Institutions perform the process of ordering and government, but do not exist outside the state of the situation. In historicising the politics of equality and universality, one obtains a different view of the situation and the excrescent elements. Previous forms of collective subjectification and politics might have inscribed their political principles in institutions. In the history of political struggles, equality also exists inscribed in various institutional locales and can be open to verification.

This chapter will attempt to make sense of the struggles that activate institutionally inscribed equality and claim it for categories *a priori* excluded from its purview.

Understanding the link of such institutional politics with a politics of collective subjectification at a distance from the state would lead us to a more nuanced understanding of how a politics of unmaking security functions. As equality and universality already exist as principles inscribed in liberal state institutions, struggles for emancipation start from already existing inscriptions (Balibar 2004a). Can the excessive elements, the illegal migrant sex workers, reclaim these principles from within state institutions?

To answer this question and consider its implications for a politics of emancipation along Badiou's lines, I shall start by locating the political sites in which equality and universality have informed the political struggles of sex workers and will question their relation to an eventual politics of collective subjectification. The relation between a politics that unfolds within institutions and a politics that is at a distance from the state will be discussed through the mediation of equality and universality. Finally, I shall consider this double determination of politics for unmaking practices of security.

History and the struggles for equality

We have seen that Badiou's politics of universality and equality is formulated 'at a distance' from the state (Badiou 2004b: 156). Sex worker activists refuse any involvement with the state on matters of regulating prostitution and claim that anti-trafficking legislation is primarily used to deport sex workers, no evidence of force or coercion being needed to prove the offences (English Collective of Prostitutes 2004). Their politics could be put in a nutshell as 'those who work here are from here', echoing Badiou's own claim about the *sans-papiers* that 'those who are here are from here [les gens qui sont ici sont d'ici]' (La distance politique 1996a). In a recent action concerning the status of illegal workers in France, *l'Organisation politique* has stated that '[p]ayment slips are not fake, even if residence papers are fake. Payments slips are genuine because work is genuine' (Balso 2005/translation mine). Such a claim evidently enacts an impossibility in the current political situation on the basis of the principles of universality and equality. It also appears

articulable only at a distance from state institutions. Yet, an analysis of the situation of human trafficking makes apparent other sites in which an impossibility is enacted.

In the EU, a politics of equality and universality, a politics of the equality of work for migrants who have been rendered illegal has been formulated at other political sites, most notably the European Court of Justice (ECJ). If politics is not just at a distance from the state, but also prescribing against the state, as Badiou argues, then state institutions can become loci for such prescriptions. Just as political events are linked to a situation through the excess, principles of equality and universality already exist inscribed in the situation, as a logical consequence of other political events and other struggles. Badiou's mathematical ontology makes this theory oblivious of the historicity of the concepts which opens avenues for political struggles. As equality is a principle that cannot be subjected to closure, locating it in different situations can allow for its expansion.

Political struggles are often struggles over these inscriptions, of equality and universality that exclude certain categories of people as the very possibility of the system functioning. For example, the right to vote excluded at different points in history different categories of people. Their exclusion from the voting system was part of the functioning of the early modern capitalist state, which made voting dependent on property. Women's struggle for the right to vote could be read along these lines of challenging the universal inscription in the name of an equality that is denied or suspended. Badiou has been wary of such a politics he would see as only contributing to an 'oppositional' stance, i.e. a position of protest from *within* the state-sanctioned structures and rules (parties, elections, trade unions, constitutional amendments...) (Badiou quoted in Hallward 2002/ emphasis in original). When such an oppositional stance buttresses or sustains through its principles a politics of emancipation, what role are we to give to this form of politics?

In what follows, I shall consider how a politics of equality is formulated from within existing institutional inscriptions in the situation of trafficking. An egalitarian statement concerning illegal migrant sex workers has emerged based on an inscription of equality in

the Agreements signed between the EU and the Accession States in the nineties.⁵³ These agreements give the right to nationals from Central and Eastern European countries (CEECs) to 'take up and pursue economic activities as self-employed persons' (European Community 1991). These agreements extend therefore the right of residence by virtue of work to nationals of other non-EU countries. Work (as self-employment) is extended beyond the realm of the EU and it also introduces a claim to equality (as non-discrimination) between CEECs and EU citizens. Although these agreements were set up in the context of an increased liberalisation of economic relations between the EU and the accession countries, what interests me here is how these agreements, drafted in completely different circumstances and for a different purpose, are given a different meaning and political purchase.

The Association Agreements have been at the heart of several cases in front of the ECJ. The right to residence as self-employed workers has been repeatedly invoked by those who had fallen out of the representations of a situation of migration and were present in it only as a negation. They either had their asylum claims rejected or had been in an irregular situation. Thus, although present, they were represented only as anomalous, as excessive, those who should not be there. In all the cases that have been the subject of judgements by the ECJ – *Gloszczuk* (Gloszczuk 2001), *Kondova* (Kondova 2001), and *Barkoci and Malik* (Barkoci and Malik 2001) – the right of establishment and residence was formulated from the subjective position of the worker, of the self-employed. The first case concerned two Polish nationals whose applications to stay in the UK as self-employed workers were rejected on the grounds that they had stayed irregularly in the UK. The second case concerned a Bulgarian national who started work as a self-employed cleaner and claimed residence after her asylum application had been rejected. In the third case, two Czech nationals applied for residence as self-employed workers after their asylum claims had been rejected.

⁵³ The Europe Agreements (or Association Agreements) were part of the pre-accession strategy and concerned Bulgaria, the Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia, and Turkey. At present, given the 2004 enlargement, these agreements remain applicable to Bulgaria, Romania, and Turkey.

In another case, *Jany*, the issue of self-employment and residence became directly connected with that of prostitution. In this case, the ECJ dealt with two Polish and three Czech nationals who wanted to establish themselves as self-employed persons in the Netherlands, but were denied residence permits by the Netherlands Secretary of State for Justice (Jany 2001). The six women were residing in the Netherlands and working in Amsterdam as 'window prostitutes'. In accordance with the Association Agreements between the European Community and Poland and the Czech Republic, the citizens of the latter states are allowed to 'take up and pursue economic activities as self-employed persons', where '*economic activities* shall in particular include activities of an industrial character, activities of a commercial character, activities of craftsmen and activities of the professions' (Jany 2001/emphasis in original).

The women were refused residence permits on grounds that 'prostitution is a prohibited activity or at least not a socially acceptable form of work and cannot be regarded as being either a regular job or a profession' (Jany 2001). The commissioner of the Amsterdam-Amstelland regional police for residence permits rejected the prostitutes' application holding that the expression 'economic activities as self-employed persons' used in the Association Agreements between the EU and Poland and the Czech Republic did not have the same meaning as the same words used in Article 43 of the Treaty of Rome. The six prostitutes asked for a judicial review.

The ECJ had already ruled in *Gloszczuk* and *Barkoci and Malik* that the provisions in the Association Agreements represented a 'precise and unconditional principle which is sufficiently operational to be applied by a national court and which is therefore capable of governing the legal position of individuals' (Barkoci and Malik 2001; Gloszczuk 2001). The ECJ also concluded that if a Member State accepts prostitution on the part of its own nationals, it could not regard prostitution on the part of Polish and Czech nationals as representing a 'genuine threat to public order' (Jany 2001). The Court decided that the activity of prostitution pursued in a self-employed capacity can be regarded as a service provided for remuneration. The Court also established that such a relation must be carried outside any relationship of subordination concerning the choice of that activity, working

conditions and conditions of remuneration; under that person's own responsibility; and in return for remuneration paid to that person directly and in full (Jany 2001).

In all these case (including *Jany*), the ECJ ruled that the right of establishment has direct effect and CEECs nationals can invoke it against the Member States. Since the *Jany* judgement, several hundred prostitutes have claimed residence as self-employed sex workers (Böcker 2002: 35). Although not at a distance from the state in Badiou's sense, such a politics still prescribes against the state. Illegal foreign prostitutes, the excessive element of both a situation of migration and trafficking, enact equality and the transformation of prostitution through work from within institutional locales. Although not having been framed with a universal intent, the effects of this institutional engagement become universalised through the recognition of prostitution as work.

Although formally different from the sex worker activist movement, the *Jany* case cannot be considered in isolation from their movement, as it redefines the situation in which sex workers themselves are struggling for the recognition of prostitution-as-work. The *Jany* case has inscribed prostitution-as-work in the history of institutions. Institutional struggle over the representation of prostitution and the representation of trafficking will continue. The European Parliament motion and the amendments to it discussed in the previous chapter were a reaction on the one hand to the Brussels Declaration on Human Trafficking and ways to fight the phenomenon and to the *Jany* case on the other. The *Jany* case can consequently only be considered in relation to a struggle of collective subjectification that works in the margins of institutions and challenges at all times their authority and their decisions.

Politics in history: the transformation of universality

Badiou's politics of equality and universality is minimally historical. Historicity is reduced to the relation to the situation, to the excessive elements of a situation. The principles which politics itself invokes are not historicised, but considered as abstract principles which can challenge the state of the situation. If thinking the new entails thinking the old, the situation, what is repetition (Badiou and Bosteels 2005: 253), then thinking politics entails

the separation of what can lead to the new and what is a repetition in the situation in relation to equality. Is there a politics of equality that can invoke exactly the history of the principle itself and not amount to a simple repetition of what is, of the governmental logic of security? I suggest that the action undertaken in the *Jany* case is a political verification of institutionally inscribed equality, a verification that radically displaces the limits of equality given in the Europe Agreements. Migrant women presented themselves as sex workers and verified the equality of work, while bringing prostitution under the remit of work. Equality appears as a maxim of action, a principle that is under verification by subjects that present themselves as equal.

This does not mean that politics should be reduced to institutional politics – we have seen that institutional struggles tend to subvert rather than support the claim of prostitution as work. To understand the role of the *Jany* case and the historicisation of equality and universality, politics at a distance would need to be supplemented by a historical politics of equality and universality. Critics would legitimately wonder at this point whether this supplementation of eventual politics by a historical politics does not contradict both the repudiation of historicism and the importance of the excess. The historicisation of equality remains linked to the standpoint of the excessive element and functions as a verification in a situation where inegalitarian practices and forms of representation are at work. Moreover, the historicisation of equality is at odds with analyses of power that remain within the sphere of what is. If equality can be thought as the result of struggles whose consequences have been inscribed in institutions, could we not speak about the historicisation of a politics of excess?

In a sense, what Badiou misses is the historicisation of political events, the fact the subject's fidelity to an event can lead to the inscription of its consequences in institutions. Although a historical element appears as a necessary supplement to Badiou's politics, equality is prescriptive, a maxim and not a consequence of governmental actions. Governmental definitions of equality and calculations of what an optimum would be for the life of the population are not political. The Czech migrant women in the *Jany* case have made use of already existing universal inscriptions. Such inscriptions already exist within

the nation-state, or at the level of supra-national institutions. The multiplicity of locations for political action can be better understood through the interpretations of universality offered by Balibar.

Balibar has extensively dealt with the same words for politics as Badiou. Equaliberty (or equality and freedom) and universality inform Balibar's concept of emancipatory politics. I have shown that equality can function as radical principle that asserts the equality of political subjects and that it can also be invoked in different institutional locations. Equality has become inscribed in institutions both as a result of struggles or simply contingently, as in the case of Europe Agreements. A political action would take equality from the economic rationale with which it is linked and move it to another realm. From the commonsensical understanding of services and of self-employment, equality is transferred rather unexpectedly to the realm of sex industry.

The verification of equality in different locations is linked with Balibar's interpretation of universality. The collective subjectification of the worker created a form of universal address in the situation of trafficking. The worker as an equal subject made those who counted for nothing in the situation, the illegal migrant prostitutes, count for something. Victims of trafficking are transformed from silenced victims of trauma into workers who can process their experience of exploitation and abuse. Work redefines the situation of trafficking and does away with the divisions that security practices had imposed. In the *Jany* case, universality is obviously limited, referring initially to Czech and Polish citizens. The accession of ten Central and Eastern European countries to the EU in 2004 has restricted even more the scope of universality. Moreover, in the newer Association Agreements signed with the Euro-Mediterranean countries, the right of self-employment has been taken out.⁵⁴

Yet, these limitations do not mean that the principle of universality is lost. Balibar's differential concept of universality can make sense of a universality that does not address everybody. Universality is not about equality gradually incorporating more and more

⁵⁴ For example, the difference between the agreement signed with Morocco in 1996 and the one signed with Egypt in 2001. In the latter, there is no longer any mention of the right of establishment.

citizens. Universality does not mean the silencing of difference and the obliteration of particularity. Badiou claims that every universal originates in an event and it is linked with a 'precarious supplement whose sole strength resides in there being no available predicate capable of subjecting it to knowledge' (Badiou 2004b: 146). Universality is therefore intrinsically linked to the excessive elements of a situation. Badiou's universal can only be for everyone if it is divorced from any particular representations. Hence, rather than a characteristic of the situation, universality is linked with the element that cannot be represented, that has no positive properties in the situation. We could probably say that the universal is a negative universal inasmuch as 'to be inscribed within it is not a matter of possessing any particular determination' (Badiou 2004b: 151). As Žižek has put it in a nutshell: 'it is those who are excluded, with no proper place within the global order, who directly embody true universality, who represent the Whole in contrast to all others who stand only for their particular interests' (Žižek and Daly 2004: 109).

For Balibar, the universality that we associate with politics has 'to be constructed practically and empirically; it has to be approached through confrontation and conflict' (Balibar 2004b). We should refuse the opposition between universality and particularity that has led to an endorsement of identity politics at the expense of an understanding of universality. While these assertions could be read as reinforcements of Badiou's claims that the event is universal both in its form of address and in its content, Balibar has offered an analysis of the ambiguities of universality which makes room for a differentially located politics. He has distinguished between three forms of universality: universality as 'reality', universality as 'fiction' and universality as 'symbol' or ideal universality. Although Balibar does not explicitly link all these forms of universality to a politics of emancipation, I shall attempt to understand what these ambiguities entail for the politics of unmaking security as formulated so far.

Universality as 'reality', which refers to the expansion of institutions and techniques to the entire world, to the interdependency between different parts of the world that analysts of globalisation have explored, alerts us to the practices of insecurity that constitute it. Despite the existence of a generalised web of economic, political and cultural

relations, of an increased interdependency between different areas of the world and of the 'generalisation of minority status', real universality is actually equivalent to the creation of identities which are 'less isolated *and* more incompatible, less univocal *and* more antagonistic' (Balibar 1995a: 56/emphasis in original).

Increasing forms of 'internal exclusion' (Balibar 1995a: 55) make universality as 'reality' appear as revelatory of security practices. It also alerts those who have rejoiced at the processes of globalisation and the destabilisation of identities defined in statist and majority terms that multiple and floating identities do not by themselves lead to a politics of emancipation. Not only are these identities inscribed in patterns of inequality, but their multiplication says nothing about how their particularity could be transcended. What real universality lacks are the two other forms of universality, fictive and symbolic, forms of universality that make possible the contestation of security practices. Real universality, the universality of a purely extensive humanity, is coterminous with inegalitarian and exclusionary practices of security.

Universality as 'fiction' can be understood as synonymous to the concept of hegemony or even the discourses of the dominant that sustain the constitution of political communities that can be extended to the whole of humanity. 'Fictions' refer to the reality constructed by institutions and representations. Construction is however not a flat process and Balibar points out that there are differences between forms of private identification and more abstract forms of universal identification that have historically taken two forms: religious and national-political (Balibar 1995a, 2002b). Universality as 'fiction' is also ambiguous inasmuch as both nations and religions have spoken to individuals universally, beyond their given forms of subjectification and have served to question relations of inequality and domination. The anti-colonial struggle can be seen as a struggle for the universalisation of the nation through struggles for self-determination. At the same time, religions and nations have been instruments of oppression.

Yet, true universality resides in the possibility of challenging the embodiment of the universal, in what he calls the intensive aspect of universality as 'fiction'. It is not the extension of the nation that embodies true universality, but the intensive aspect of

universality as 'fiction'. This intensive aspect allows for an emancipatory politics to be formulated in the name of the superior values of the community. If one were to read Balibar's universality as 'fiction' in Badiou's terms, universality also exists in the state of the situation. These locations of universality and its intensive aspects can ground forms of a politics of emancipation that are not always at a distance from the state.

Universality as 'fiction' is important inasmuch as it leads dominated groups to struggle for rights in the name of the superior values of the community: the legal and the ethical values of the state itself (Balibar 2002b: 161). Such values can be suffrage, justice or freedom and equality. Fictive universality is 'the very point where the two inverse movements of inclusion and exclusion meet and contradict each other' (Balibar 2004b: 61). Rather than dismissing this universality as false, as most of the poststructuralist literature does, its internal split can be thought as a springboard for emancipatory politics. One can therefore confront hegemonic structures by denouncing the gap or contradiction between official values and practices.

No ideology or dominant form of power can function without some remnant that has come from the language of the dominated. The dominant forces in society, Balibar has argued, 'can speak to the masses in the language of universalistic values (rights, justice, equality, welfare, progress...) because in this language a kernel remains which came from the masses themselves, and is returned to them' (Balibar 2002b: 164). The promise of universality would therefore function beyond its historical appropriation within particular power relations. Such struggles will eventually reinforce the universality of principles such as freedom and equality.

Universality as 'symbol' or ideal universality introduces the unconditional in politics, the ideal of non-discrimination and no-coercion, which Balibar translates as equaliberty. Universality cannot be reduced to the nation-form or a religious community, but has as an ideal of the 'subject' of politics the common humanity, the individual without particular qualities (Balibar 2004a: 312). This aspect of universality excludes exclusion as it cannot be subject to closure. Ideal universality refers to the expression of revolt against all

discrimination, against inequality, against interdictions and obstacles to freedom of expression or other individual and collective freedoms (Balibar 1993).

The Declaration of rights that founded the French modern nation-state and the institution of citizenship are based on the 'proposition of equaliberty', which considers all individuals of equal value and is open onto the idea that, at least potentially, all men are citizens (Balibar 2004b: 59). The existence of forms of universality inscribed in institutions can be understood both as the result of previous struggles for emancipation and as the specificity of how power relations function in modernity. If power is not to be simply repressive or violent (even when its violence means constituting subjects), there is an element of shared universality and values that would bind the governing and the governed. I have shown that practices of security can be bound together by an imaginary of security.

Universality as fictive and symbolic is absent from what I have called the 'barred universal' of security. The tension at the heart of universality that allows for dominant practices to be challenged in the name of equality and even the common humanity of subjects is undermined by the exclusionary move of security practices. Security can only be embodied in forms of life or forms of community to the exclusion of other ones, through a simultaneous imaginary of disorder and insecurity that borders or penetrates the imaginary of security and order. Unlike equality or equaliberty, security is subject to closure and boundary drawing. The ambiguity of universality that has led to productive tensions and a politics of emancipatory struggles is barred from security practices. Ideal universality or universality as 'symbol' is the impossible universality in relation to practices of security. Security always appears as a non-event, incapable to address everybody as equal.

Security that could be 'democratised', extended to every individual refers to real universality. Real universality does not speak politically as fictive and symbolic universality does. Some poststructuralists have interpreted the inter-linking of identities, their fragmentation and de-stabilisation as the conditions of possibility for coming to terms with insecurity and suspending the inflationary practices of security that attempt to govern any

form of disorder and instability. Others still have argued against the paranoid security reaction of states to generalised conditions of fragmentation. Real universality is, however, exclusively captured in the terms of what is. It is at the same time increased interconnection and creation of more heterogeneous identities and the exclusion of whole categories of population globally.

Symbolic and fictive universality can also be depoliticised, 'a contradictory combination of an outline of universality and its arbitrary limitation' (Balibar 1994: 46) suspended, when a different logic is applied, according to which 'freedom' represents a status and 'equality' is a function and right of this status. Challenging the arbitrary limitations that fictive universality can entail is based on an ideal universality, the unconditional principle of the participation of all in politics. Ideal universality is based on the simultaneous enactment of freedom and equality, of *égaliberté* (equaliberty). Just like Badiou, Balibar sees universality as necessarily linked with the performative enactment of equaliberty.

Equaliberty can be seen as what Balibar has referred to as the kernel of 'truth' in the name of which the dominated could struggle for their rights. Equality and liberty became principles of democracy only in the wake of the French Revolution, of specific struggles by the dominated. They have informed political struggles as 'unconditional principles' ever since. The grounding of politics in the principles of the French Revolution could appear as Eurocentric, unaware of the subaltern voices and possibly different modes of thinking and practicing politics. Yet, universality and equality are principles that have been claimed in struggles against Western-based practices of domination and security. Security and the state are dominant Western concepts and practices and it is against their expansion that the same very principles can be mobilised.

Balibar's conceptualisation of universality makes apparent both a contradiction and an excess between ideal universality, the universality to which state practices (including dominant practices) must refer and the fictive universality, the universality that appears as split between its particular embodiment and what it excludes. Symbolic or ideal universality is in excess over fictive universality. What has been missing from a

Foucauldian analysis of practices has been the realisation that governmental interventions, the relation between the governed and the governing can be held together not just by a common understanding of what the political community is, but by universal values. Otherwise, power becomes simply violence, it cannot work on free subjects, but must repress.

Foucault's understanding of power as positive, as constitutive of subjects would need to be correlated to an understanding of universality that legitimises those practices. Ideal universality has made fictive universality contestable outside the boundaries it has set to itself through the principle of equal liberty or unconditional participation in politics. Universality is more than the event in the sense of distance from the state and its institutions; it is inscribed in institutions and part of the deployment of power. Not losing such universality from sight (and especially not dismissing it as hegemonic or false) allows for claims for rights based on the principle of equal liberty to be formulated. Balibar's conceptualisation of universality supplements the *prescriptions against the state at a distance from the state by prescriptions against the state from within institutions*.

Transformative-emancipatory politics

How can we understand the relation between Badiou's politics and Balibar's? Can a politics that challenges the arbitrary limitations of universality in the name of unconditional equal liberty be a supplement to Badiou's eventual politics that prescribes against the state from a distance or are their conceptualisations of politics and political action irreconcilable? Hallward has suggested that Balibar stands for a sociological position that Badiou repudiates as it is connected with an oppositional stance from within state-sanctioned structures and rules (Hallward 2002). Political action remains at a distance from the state and prescribes against the state. Balibar's position, which attempts to locate sites where universality can be opened to intensive contestation, shares with Badiou an understanding of the excess. Badiou sees the excess as linked with the anomalous elements of a situation, while Balibar links it with unconditional principles that have informed political struggles in history. In a sense, there is an implicit understanding

of equality as excess in Badiou too, as equality does not pertain to the structuring of the situation but to the indifferent multiplicity of presentation before and beyond representation.

To understand the difference between Balibar's and Badiou's politics and the possibility of thinking political action as egalitarian and universal prescriptions, I shall loosely borrow two 'names' for politics from Balibar himself. Balibar has distinguished among three forms of politics: transformation, emancipation, and civility. He has associated the proposition of equaliberty with a politics of emancipation and the transformation of the structures of power as a form of politics with the work of Marx and Foucault. These two forms are supplemented by civility, which Balibar sees as the currently necessary mode of politics.

Civility refers to the conditions of possibility of politics itself as transformation and emancipation. Civility is not synonymous to tolerance; it is a mode of relating to ourselves and of imagining possibilities of identification and dis-identification that would not take us to the extremes of violence which are destructive of the space where political claims can be made. This mode of politics designates the speculative idea of a politics of politics, or a politics in the second degree, which aims at creating, recreating, and conserving the set of conditions within which politics as a collective participation in public affairs is possible, or at least is not made absolutely impossible (Balibar 2004b: 115).

While Balibar has chosen the very example of people whose organs are trafficked and who cannot present themselves as a stand-in for any universal, the situation of trafficking in women is different. Although victims of trafficking cannot present themselves as a stand-in for the universal of an equal political subject, the space of politics is kept open through the subjectification of the worker. The space of politics is kept open by the illegal migrant sex workers and sex workers themselves. The situation of trafficking in women is open to a politics of emancipation, in which subjects present themselves as equal participants in politics. By making political claims against the state within institutions such as the ECJ, illegal migrant sex workers transform the power relations that govern the situation. The theoreticians of transformative politics privileged by Balibar are Marx and

Foucault. Despite the nuanced differences between the two thinkers, one can define transformative politics as envisaging the transformation of historical conditions or power structures. If Marx sees such a transformation led by a world-historical subject and Foucault links it with the subject's 'techniques of the self', their common concern is the transformation of the conditions of possibility of domination/power. Balibar shifts this concern with the historicity of power relations/historical structures to the historicity of emancipatory struggles (i.e. the history of struggles around concepts such as equality and liberty). He starts from the premise that emancipatory politics needs concepts like equal liberty and cannot function without them.

Balibar joins Marx and Foucault through his historical approach to the conditions of possibility of equal liberty, but differs from their predicament by avoiding the claim that transformative politics is made of the same fabric as practices of power/domination. I have shown previously that a politics of unmaking security cannot be of the same fabric as security, it needs to rupture these practices radically. As Balibar himself has put it, the problem is that 'the conditions of existence which are to be transformed are woven from the same cloth as the practice of transformation itself' (Balibar 2002b). Politics needs ideals which would be heterogeneous to practices of power. Ideals or principles constitute a break with the logic of security. It is by activating such principles that politics breaks with the logic of security or domination. With a hint of self-irony, Balibar describes his position:

Old Marxist, old materialist that I am, I am convinced on this point: the main way of being a materialist, a realist, in politics today is to be 'idealistic' or, more precisely, to raise the question of ideals and choices to be made between ideals. These ideals will necessarily be expressions of very old ideas to which democracy appeals, but of which democracy, in its current manifestations, provides a very sad spectacle... (Balibar 2002b).

One can say that Balibar's work is about transforming the conditions of existence of emancipatory practices, of equaliberty. He follows the historical consequences of political events, namely the occurrences of equaliberty in history.

Unlike Balibar, Badiou's politics considers claims to equality as indifferent to history, even if related to a socio-historical situation and its elements. In his words, a politics of radical emancipation cannot originate in a proof of possibility that an analysis of the world could offer (Badiou 1992).⁵⁵ Even if forms of political action can be distinguished historically, events speak of the excess of history itself, of the contingency that cannot be captured by what is. However, an historical analysis of the situation could locate the traces that previous events have left in history. It is this historical awareness of struggles that can support new forms of political action. What is important in naming these two modes of politics is to understand that the two poles are not mutually exclusive, but enter into a relation of strategy. Such a logic of strategy can be inferred from the lessons that the struggles of trafficked women and sex workers offer. The political struggles against the securitising practices of human trafficking have mobilised both emancipatory and transformative political actions.

Claims about the equal rights of sex workers as 'workers' rather than as state-defined categories inscribe a new principle of equality. This politics gives new valence to the anomalous and excessive subject of the situation of trafficking, the illegal migrant sex worker. Claims about equal rights of residence by virtue of work that Eastern European sex workers or immigrants have been putting forth activate already existing principles. These claims challenge the restriction of rights to 'decent' and commonsensical forms of self-employment and argue that prostitution is an independent form of work. The challenge to existing migration law on the basis of already inscribed institutional rights relates to the recognition of prostitution-as-work. Transformative politics is therefore an inscription of equality against its arbitrary limitation and closure. It ties in with

⁵⁵ '...une politique d'émancipation radicale ne s'origine pas dans une preuve de possibilité que l'examen du monde fournirait' (translation mine).

emancipatory struggles, the struggles that argue that prostitution is a form of work based on the exchange of labour force against remuneration.

It is now possible to reformulate the status of a political event in relation to a history of political struggles. While the event itself ruptures the situation from the standpoint of the excessive elements by means of verifying the principle of equality (excessive to any rationality of domination), the event is linked to a series of struggles that go on in a situation. A political event does not emerge in the interstices of power or from the dissonant complexity of discourses and practices, but from the indeterminable struggles that go on in a situation. Illegal migrant prostitutes can claim the equality of work given the existing struggles to rename prostitution as work. Renaming prostitution as work appears as an event in a situation of trafficking inasmuch as it suspends the particular categorisation and governmentality of security.

In their link with other struggles, political events have an ambiguous relation to universality. Real universality is of the order of what is and cannot be the principle of an event. The universal address that Badiou mentioned cannot be extensive. After all, prescriptions against the state are divisive, they create camps in a situation between those who support it and those who do not. The situation of trafficking is divided between those who dismiss the equality of work on the basis on national protection and those who support it. Universality as fiction can be emancipatory and a principle for political events only if it is harnessed to universality as a symbol or an ideal.

A transformative-emancipatory politics works with the principles of equality and universality, which counter the inegalitarian and exclusionary logic of security. As I have previously argued, practices of security are always at the expense of somebody else. The logic they activate is one of delimiting, categorising, neutralising and excluding an-other (where 'other' is to be read as specific categories of population). The imaginary of ontological security presents itself in similar terms to real universality. Ontological security was after all a concrete development in the context of the modern state and destabilised by late modernity. Unlike equality, the principle of a transformative-emancipatory politics, security depends upon the enactment of practices of inequality that divide dangerous and

non-dangerous, risk and at-risk, creating spaces of abjection to be excluded from the space of normal and normalised subjectivity. Looking back from the perspective of a politics of equality and universality, security can be seen as practices of inequality, particularity and closure.

The logic of universality and equality remains open, despite its historical embodiments and particular closures. Fictive universality is historically false, as national and religious communities have simultaneously buttressed practices of security against disorder and practices of normalisation against deviants. Yet, it becomes political from the standpoint of excess, the excess of ideal universality and of equality. The Association Agreements, for example, which have been invoked by migrant sex workers in the Netherlands, concern only CEECs. Moreover, since May 2004 their scope has been reduced to Romania, Bulgaria, and Turkey, as the countries to which these agreements initially applied have become members of the EU.⁵⁶ While their universality is limited in its expansion, this is not the politically important aspect of universality. Their universality has been challenged in an intensive aspect through its application to a new situation. The ambiguity of universality between reality, fiction and ideal would allow us to avoid political positions that either claim 'open borders' for all or see already their realisation in the global transformations. These positions cannot formulate another principle in the situation. It is through the intensive aspect of universality politics can function as a form of contestation. Universal rights cannot be bestowed upon the whole of humanity, but are conquered in struggle.

A transformative-emancipatory politics begins from a concrete situation that it disrupts and transforms in accordance to egalitarian aspirations. Equality and universality as the principles of politics impede its closure. I have called security 'barred universality' inasmuch as closure and the creation of spaces of abjection are intrinsic to its practices. Security cannot remain open, it needs to draw boundaries between those who are to be secure and those who are endangering this security. The ultimate horizon of security can

⁵⁶ Interestingly, the issue of human trafficking would also become obsolete in such countries, given the redefinition of borders and freedoms. The centres of trafficking would move further, beyond the borders of EU, mainly in Moldova and Ukraine.

be therefore named as fascism, the ultimate community of security that has drawn its internal boundaries. The democratisation of security, as certain critical security theorists would want, is limited by an arbitrary closure. While critical theorists can shift the boundary of this arbitrary limitation, they cannot challenge its logic.

Conclusion

A politics of emancipation informed by equality and universality takes place at a distance from the state. Even if politics prescribes against the state, thus prescribing against state practices, Badiou is adamant about the distance between the self-organisation of collective subjects and the state. Yet, I have shown that there are forms of politics that formulate equal claims from within institutions. This chapter has shown that a politics of unmaking the securitisation of human trafficking has taken place in courts such as the ECJ. Rather than undermining or subverting the collective subjectification of sex workers, Czech and Polish sex workers have helped redefine prostitution as work. Although they have not changed the valence of illegal migrant sex workers within the situation, as they have themselves been dis-identified from illegal migrants through the mediation of the Europe Agreements, they have inscribed in an institutional locale the equality of work. A politics of institutional transformation emerges from the history of political struggles that have inscribed the principle of equality in institutions.

I have shown that a politics of transformation is intertwined with a politics of emancipation by opening up the concept of universality. Universality is not just a form of address, it is a principle that has been historically enacted, a principle that exists both in the arbitrary limitation of political institutions and as an unconditional principle of politics, as equality. Emancipation works with an understanding of universality linked to the emergence of the excessive subject as a political subject. It is the subject that is deprived of positivity, of representation and only exists as an anomaly that stands in for universality, sheared of all particular characteristics. To this universality, Balibar adds an aspect of universality which is institutional. Fictive universality allows for relations of power to be deployed without falling back upon forms of violence. Universality is also a characteristic

of equality or equaliberty. Equality cannot be closed, cannot be limited, but remains open as a principle to be enacted by political subjects. It is in this impermeability to closure that equality as a principle of politics is qualitatively different from security. Equality is universal inasmuch as it remains open, while security appears as 'barred universality'. Closure is the constitutive element of security practices.

In discussing Balibar's concept of transformation, I have used the concept of 'equaliberty' as analogous to equality. Yet equaliberty is Balibar's coinage to name the inseparability of equality and liberty. Besides historicising emancipatory struggles and redefining the relation between political action and a situation, Balibar adds liberty to the principle of equality. Badiou has however rejected liberty as a universal concept for politics, arguing that liberty has been captured by capitalism. The next chapter will unpack the implications of liberty for a transformative-emancipatory politics. Liberty has been after all the concept that has been oppositional to security, the instantiation of contingency against necessity. Yet, security studies have not engaged with liberty in their discussions of the construction of security or their analyses of practices. Hobbes, the paradigmatic thinker of the relation between liberty and necessity and the privileging of security, has been referred to mostly in acquiescence of the inescapability of security practices and the necessary limitation of liberty. I shall therefore engage with the relation between equality and liberty to understand what they mean in relation to practices of security.

VII. Equality and liberty: the politics of inseparability

Introduction

The previous chapter has reformulated politics as transformative-emancipatory, a politics of events that emerge from a history of struggles against forms of domination. A transformative-emancipatory politics is indifferent to particular governmental identifications, it verifies the principle of equality and is harnessed to the standpoint of the excessive elements in a situation. The parallel reading of Badiou and Balibar has allowed me to formulate a hybrid conceptualisation of politics that can disrupt practices of security in the situation of trafficking. What I have bracketed is the disparity between Badiou's equality and Balibar's equaliberty.

Equaliberty is itself a hybrid coinage that points to the inseparability of equality and liberty as concepts for politics. Badiou limits politics to the principle of equality, while Balibar contends that equality and liberty are inseparable for an emancipatory politics. The latter introduces the concept of liberty as intrinsic to a politics of emancipation, while for the former it has no immediate value for politics as it has become captive to liberalism. Yet, he also warns us against what he calls the 'egalitarian dogmatism', that of equality in being placed in front of commodities (Badiou 2004a: 161). Although Badiou thinks democracy as the 'singular adjustment of freedom and equality' (Badiou 2004b: 160) and indicates that liberty could be retrieved by thinking it from another point than itself (Badiou 1992), he has not attempted to do so himself.

Badiou's approach to liberty is clearly indebted to Marx, as he dismisses liberty for being reduced to the freedom to sell one's labour force. As Marx has argued in the case of the proletariat, workers are free, but as they do not possess anything, they can only sell their labour force. Yet, selling one's labour force can also be a form of emancipation, even if Badiou glosses over this aspect that the figure of the worker entails. Work is not just the form of an egalitarian collective subjectification, but also the key that opens the door of

capitalism. For example, a claim like 'We are all workers' implies – besides an equalitarian subjectification – the freedom to sell one's labour force. Illegal migrants and trafficked women can break free from conditions of more serious, more violent exploitation by selling their labour force in the regulated framework of the market. One has, however, to concede to a Marxist critique the fact that the position of the worker entails other forms of exploitation, not necessarily of a much subtler nature than the exploitation of trafficked women in the shadows of illegality. While this form of emancipation remains partial and requires further struggles, it represents an emancipatory move from the securitising practices that categorise women as risky foreigners. Forms of exploitation will still exist and I have not attempted to think emancipatory politics as doing away with all exploitation. I have started from a concrete situation of securitisation, which entails particular and arbitrary exclusionary effects for trafficking, and I have tried to think a disruption of this particular situation.

Badiou's inattention to liberty in this context is even more puzzling given that he has actually rescued 'equality' from a similar quandary, i.e. what is understood as economic equality or the 'nihilism of virtual equality'. This equality in front of the commodity is the only equality that can be conjointly claimed by both 'Western' governments and billionaire terrorists; it is the equality that must be firmly rejected (Badiou 2002b). Against this, he privileges an axiomatic equality, equality that simply is. The advantage of equality over freedom remains for Badiou its abstraction and the impossibility of its closure as equality does not qualify the terms it refers to and it does not presuppose a territory for its exercise (Badiou 1992). Balibar on the other hand does not privilege one concept over the other and introduces the equation of liberty and equality. His 'proposition of equaliberty' can be translated succinctly as 'no equality without liberty, no liberty without equality' (Balibar 2002b). This equation is especially of interest for a politics out of security as 'liberty' has been thought and used as a tool against securitisation. Claims to liberty feature prominently in the activities of those who oppose for example counter-terrorist practices of securitisation.

Yet, claims to liberty are absent from any discourse concerning trafficked women. The humanitarian approach is based on their specificity as victims, relegated outside the boundaries of politics where they could make claims to liberty or exercise freedoms. Whatever rights and benefits women can be accorded, it is never in terms of freedom. Temporary shelter, food, and even residence are granted either in exchange for testimonies against the traffickers or on a humanitarian (actually a risk-management) basis. The victimisation approach itself, although claiming a series of rights for trafficked women, has never formulated any criticism in terms of infringement of liberties. Interestingly, the defenders of the rights of victims of trafficking have never made the argument that their liberty (for example, the free movement of persons or freedom to choose a better life) has been trespassed by states that restrict their movement, locate and deport them. The assumption at work here is that a specific category of foreigners, women, do not have freedom of movement. Freedom does not appear as an argument when women should have the right to choose whether they want a trial against the 'trafficker'. The assumption of trauma makes any decision by women potentially an unfree decision. Women's liberty is a matter of the needs of the police or of the judiciary. If the investigative and prosecuting authorities decide that women's testimonies are useful for the trial, then they are allowed to stay and testify.

Although different authors have emphasised forms of agency in the process of trafficking, liberty has been largely absent. Liberty has become agency in the ontological sense, while political claims to freedom are non-existent or appear as impossible. Given that freedom of movement is defined in the European Treaties as applicable to citizens of the Union, their remit has not been challenged. How does freedom of movement differ from the equality of work discussed in the previous two chapters? Why is the claim to the freedom of these foreign women almost unthinkable in the situation of trafficking? As in the first chapter, I am concerned here with an absence or, rather, with the impossibility of a presence. In the situation of trafficking, liberty cannot become a direct argument against security. Why is liberty silenced when women and other migrants need it most? Drawing on Balibar's insight that equality and liberty are inseparable, I shall argue that liberty is

never a concept against security in the absence of equality. A politics that unmakes security practices is therefore a politics of the inseparability of equality and liberty. Claims to liberty can be formulated only when there is a presumption of equality at work or when equality is axiomatically introduced into a situation.

The lack of theoretical engagement with the concept of liberty in security studies is therefore quite surprising. Even more surprising is the inattention to liberty in critical security studies. Although critical explorations of the concept of security and the attempt to understand its effects have been driven by an emancipatory interest, critical security studies have not engaged with the concept of liberty or its political formulations.⁵⁷ Born from discontent with how security was traditionally conceptualised in IR and unease with inflationary practices of (in)security, critical security studies have however avoided a direct engagement with the security-liberty debate. One reason for this shunning might be the very form of the security-liberty debate. The relation between freedom and security most often reactivates a discussion of the trade-off entailed in the constitution of sovereignty. The idea of trade-off or balance entails an understanding of security and freedom as values, not as socially constructed practices. It is probably this epistemological gap that has impeded a dialogue between critical security studies and the debates on the relation between liberty and security. Yet, if there is little engagement with the political contestation around what liberty can mean today in relation to security practices, liberty is not totally absent from the security literature.

The subject that is presupposed by various schools of critical security, from the CoS to the feminist, poststructuralist or Welsh School is an ontologically free subject⁵⁸. The implicit counterpart to the construction of security as a speech act or to a contingent assemblage of discourses and practices is the free subject that can challenge those.

⁵⁷ An exception to this inattention to freedom is found in Huysmans, who has analysed the governmentalisation of freedom in the EU (Huysmans 2004a).

⁵⁸ The concept of 'ontological security', recently introduced in security studies can be considered as the counterpart of ontological freedom. The constituted subject is ontologically insecure, not ontologically primarily free. Ontological security raises important political questions not just in relation to the constitution of the social, but about the modern subjected more generally. What happens to politics when its subjects are no longer constituted by freedom, but by insecurity?

Alternative discourses to the constructed discourse of security can be articulated, as long as subjects are supposed to be ontologically free. Even if institutionally limited, as more sociologically-oriented security scholars would remind us, the liberty that is at stake is that of producing alternative discourses and of challenging existing ones. Paradoxically, critical approaches cannot accommodate this assumption in an explicit way. The subject's ontological freedom is recognised, but not theorised in relation to security. Ontological freedom provides a resource of agency against security practices, but liberty as a political construct is not theorised. In a way, critical security studies reformulate the debate of security and liberty as the problematique of the modern subject: ontologically free and endowed with agency, yet constituted in relations of power. As long as liberty functions only at the level of ontology, it is unclear how such an ontological premise can play a role politically. Rather than falling back upon a discussion of agency understood as the ontological freedom of the subject, I shall consider freedom in its political implications.

How is freedom conceptualised in relation to security? What happens to equality in this dichotomy of liberty and security? In the first part of this chapter, I shall explore the role of liberty in the constitution of political communities to try and understand the impossibility of claims to the liberty of trafficking women. I shall therefore start from Thomas Hobbes, the paradigmatic thinker of the relation between liberty and security and of the privilege of security and necessity. Through a Foucauldian rereading of Hobbes, I discuss a more dynamic concept of liberty, a liberty that is understood as practice rather than as a static, given sum from which security deducts certain quantities. Liberty is not simply diminished or suspended through security practices, but also reconfigured as practice from within the secure political community. An understanding of liberty as practice would allow me to place it in relation to practices of security. In the second half of the chapter I shall inquire into the conditions of liberty as both a practice of governmentality and as a principle of a politics of emancipation and transformation.

***Governing the excesses of liberty*⁵⁹**

Hobbes is still considered the paradigmatic thinker of the relation between liberty and security. Individuals give up freedom for the security they can enjoy within the Leviathan. In light of the discussion of security undertaken in this thesis, such an approach is blatantly wrong. Security is a practice and a discourse and its imaginary is only what holds together different practices. As I attempt to formulate liberty and understand its role in Hobbes' constitution of the Leviathan along similar lines, I shall not engage with the many sophisticated readings of Hobbes in political theory. Given my intent of understanding liberty as practice, I contend that Foucault's concept of governmentality can shed light on how liberty functions in the Leviathan.

Hobbes has a very restricted concept of liberty understood in a mechanistic sense. Despite this limited understanding of freedom as determined by the laws of motion, there is the spectre of other freedoms that hovers over the Leviathan. His institution of sovereignty is based on the distinction of two types of freedom: freedom as a prerogative of the individual prior to the social contract (which will be shown to be no freedom at all) and freedom within the constraints and limitations of the Leviathan (freedom as necessity). The shift from natural to civil liberty is that from state of nature to the civil state of peace and order. The shift from the state of nature to the commonwealth is also a change in the status of equality. The equality in the state of nature was pernicious as it led to the war of all against all. Through the authorisation of the Leviathan, the equality of the state of nature is replaced by the political equality of individual wills who decide to authorise the Leviathan to govern them. There is therefore a moment of political liberty and equality in Hobbes' theory, the constitution of Leviathan by a multiplicity of discrete individual wills. Moreover, with Hobbes, nobody is unfit for the task of political community. There are no slaves or people of lesser intellect who could not join in the constitution of

⁵⁹ Balibar has distinguished liberty and freedom as the republican concept and the liberal one respectively. I loosely follow this differentiation. The main point of the distinction I make is to show the conditions of emergence and different deployment of two concepts that are interlinked.

the state and the 'equality of all under one'. Yet, this moment of the constitution of the state contains the very promise of its unmaking. As the Leviathan has been constituted through individual wills, it can also be undone through 'civil war'. The ambiguity of the very constitutive moment of the Leviathan leads Hobbes to set up a mechanism of government that would make the eruption of civil wars impossible.

As early as 1978, Richard Ashcraft suggested that Hobbes' statement that the Leviathan had been 'occasioned by the disorders of the present time' should be read as part of his political theory and not simply as a background note (Ashcraft 1978: 28). Other Marxists and post-Marxist have seen the problem of revolts and political revolutions as immanent to the constitution of the Leviathan rather than simply a historical incentive to the theory. Hobbes' theory can therefore be understood as a theoretically preventive attempt of the causes and outburst of civil wars. Or, in Balibar's formulation, '[h]is entire organization of the state, including the way in which the distinction between the public and private sphere operates, can be understood as a system of preventive defence against the mass movements that forms the basis of civil wars (of classes and of religions) and of revolutions' (Balibar 1994: 16). Foucault has also argued that '[i]t is a discourse of struggle and permanent civil war that Hobbes wards off by making all wars and conquests depend upon a contract, and by thus rescuing the theory of the state' (Foucault 2004: 99).

This potential reversal of civil peace into civil war is evident from Hobbes' continuous concern with seditions. He has dedicated considerable space to seditions in both *De Cive* (1642) and *Leviathan* (1651). *Behemoth* is entirely devoted to the issue of the civil war and seditions; it takes these analytical considerations and applies them historically to the English civil war. Seditions are to be prevented not only through 'forewarning' and 'forearming' as he suggests in *De cive*; Hobbes devises a much more subtle and varied tools for it. The Leviathan does not only provide for the protection of citizens against the state of nature, must ensure the impossibility of its re-emergence, to avoid the dissolution of the commonwealth.

The transfer of rights to the state does not do away with the possibility of civil war and excessive freedom. Even when Hobbes attempts to restrict freedom to 'corporeal

freedom', the freedom of moving without impediment, the subject thus constituted seems to be haunted by the spectre of excessive liberty. If individuals give up freedoms in search of security, the state is allowed to 'do whatsoever he shall think necessary to be done, both before hand, for the preserving of Peace and Security, by prevention of Discord at home and Hostility from abroad' (Hobbes 1985: 233). Although subjects are free to disobey commands that would contradict natural law and free to resist the sovereign when attacked, they cannot challenge the actions of the Leviathan. And yet, the very spectre of sedition and disobedience still haunts the Leviathan.

Who are the subjects of potential seditions, those who threaten the body politic and forebode its dissolution? The very enemies of the Leviathan are its own citizens and the spectre of excessive liberty. Hobbes is adamant against the freedom of man to be the judge of good and evil (1985: 365), as this liberty could be a direct challenge to state action. Citizens cannot be private judges of public affairs and need to submit their judgement to that of the sovereign. This freedom of judgement can only be true of the state of nature, as in the Leviathan the freedom of judgement would undermine the sovereignty of law and would be dangerously close to seditious actions. Hobbes' diatribe against Roman and Greek understandings of liberty, which could buttress claims of individuals against the state (1985: 369), entrenches the boundary between forms of liberty linked to the two forms of life, nature and civilisation. In *Behemoth*, he clearly states among the causes of the English civil war the exceeding number of men who had been educated by famous books on ancient Greece and Rome, in which 'popular government was extolled by the glorious name of liberty, and monarchy disgraced by the name of tyranny' (Hobbes 1990: 3). The liberty that the Leviathan allows can be undermined by the very horizon of excessive liberty.

The state can deprive individuals of freedom to various extents, depending on the role that is attached to state-undermining actions by the citizens or seditions. One could argue that citizens are allowed to enjoy as much freedom as does not lead to seditions. The only logically possible freedom is a qualified form of freedom, a freedom with limits enforced by the sovereign state (Walker and Neal 2005). The rest of the freedoms are

defined by the 'silence of the law'; and for such silence to be correctly interpreted and not lead to revolt, ordered and disciplined citizens are required. The preservation of civil peace requires practices of liberty that are consonant with the goals of the state. As David Burchell has put it, civil peace requires both an absolute sovereign and a population trained and educated in the civic virtues of justice, gratitude and complaisance⁶⁰. He persuasively makes the argument that Hobbes' 'education' (*disciplina* in the Latin original) covered a wide range of 'disciplines' by which human beings are made into citizens (1999). Chapter xxx of the *Leviathan* lists the virtues that need to be inculcated into people so as to make rebellion impossible: not to exalt fellow-citizens above the sovereign, not to speak evil of the sovereign, to respect their parents, not to deprive fellow subjects of their legitimate possessions, and not to have unjust intentions. The sovereign appears from its inception governmental, engaged in the 'normalisation' of freedom, the prevention of the subject's excessive liberty. The individual is 'the product of the civil society which is to regulate it, and the Hobbesian problem is how to form it so that it will be able and willing to abide by the natural laws and contracts appropriate to civil society' (Connolly 1988: 27).

Although Foucault has distinguished disciplinary and governmental practices from the prerogatives of the sovereign state, Michel Senellart, the editor of Foucault's lectures on governmentality, has located the *police* function of the sovereign state alongside its military role (Senellart 1995). Sovereignty needs 'policing' techniques for its own reproduction and perdurability. Peace, security and order can only be achieved through a process of permanent ordering, regulation and normalisation of the subject. Ordering entails the normalisation and regulation of excessive liberty, a liberty that continues to manifest itself within the Leviathan through excessive practices. Hobbes is wary of the 'multitude', the crowds who shun political unity and resist authority. If the constitution of the Leviathan entails the move from the 'multitude' to the 'people', the multitude reappears in the governing of the state. Yet, it is not the same multitude, but rather the spectre of a multitude endowed with excessive freedom. The multitude of the state of nature was

⁶⁰ 'Man is made fit for society, not by nature, but by education' (Hobbes quoted in Burchell 1999).

already 'decomposed, reduced in advance (preventively) to the sum of its constituent atoms (people in the state of nature)' (Balibar 1994: 16), who can enter the social contract one by one, individually. 'When they rebel against the state, the citizens are the multitude against the people' (Virno 2002: 10). For Hobbes the multitude appears as a permanent remainder of the state of nature in the middle of the commonwealth.⁶¹ As Virno has noted, the multitude is for Hobbes a negative concept, it is the very negation of the state of civil peace with its entailing techniques of normalisation. In *De Cive*, Hobbes defines a faction as a multitude of subjects united in opposition to the sovereign authority. Factions, he points out, are unjust, being 'contrary to the peace and safety of the people' (quoted in Ashcraft 1978: 42).

In rejecting the multitude and other forms of illicit associations, Hobbes rejects the very possibility of resistance against the Leviathan. Hobbes uses the concepts of liberty and equality in a counter-revolutionary move to create a pact, a social contract through which everybody is alienated (Balibar 2002a). The political equality on which Hobbes bases the constitution of the Leviathan is only a point of departure, distanced both from the equality in the state of nature and the governmental techniques deployed in the functioning of the state for the purposes of its conservation. The moment of political equality is at a distance from the hierarchies of power and honour in the state. Hobbes' equality is a partial equality, subtended by relations of inequality – hence the continuous concern with disciplining subjects who might revolt against such inequality.

To avoid the peril of its dissolution, the sovereign state is from its inception 'governmental', it reshapes and tames excessive liberty to make it consonant with civil laws. One of these dangerous practices, one of the 'diseases' of the Leviathan is the practice of excessive words, words improperly used or words without a referent. The body politic is threatened by words and phrases like 'one must listen to the voice of conscience not to the voice of authority' or 'it is right to kill a tyrant' (Rancière 1992: 43). The greatest fear of the Leviathan is not the 'regicide', the sedition itself, but the naming of regicide as

⁶¹ Malcolm Bull has suggested that it is a 'faction' as a simulacrum of the people and not the multitude that Hobbes opposes (Bull 2005). Yet, factions are a 'multitude of citizens', in many ways similar to other illicit organisations that Hobbes finds dangerous.

tyrannicide (Rancière 1992: 369). When the king is called a tyrant, other forms of justification of political action challenge the authority of the Leviathan. Tyrannicide is synonymous to the excessive use of liberty and the enactment of equality against relations of domination. The word 'tyrant' challenges the rightfulness of the sovereign and points to relations of domination and inequality. Claims of tyrannicide also enact the political equality from which Hobbes could make solely a moment of departure of the commonwealth. Political equality is suspended, however, in the functioning of the state and its reassertion by practices of excessive liberty is what the Leviathan fears most. Political equality cannot last in the functioning of the Leviathan, as the narrative of the constitution of the state is divorced from the insurrectional moment of politics, the moment of collective action against forms of domination and inequality.

Practices of security make possible the separation between the constitution of political communities and the insurrectional moment of equality. The most troublesome enemies for the state are not those who threaten its survival – after all Hobbes is aware of the fact that a state does not die like an individual – but those who threaten to reveal the relations of domination at the heart of the Leviathan. Migrants become interchangeable with terrorists, with anti-globalisation protesters, neo-Nazis and skinheads with enemy states. Practices of security are consequently a way of suspending forms of excessive liberty against domination and inequality.

Governing through freedom

The separation between the insurrectional and the constitutional moment in the constitution of the state is not the only strategy for preventing the possibility of 'war' or of challenges to the sovereign. The normalisation of liberty in the sovereign imaginary and the distancing of the moment of political equality in Hobbes is supplemented by another move that will render the practices of excessive liberty and revolts against injustice and domination unthinkable. Besides the disciplinary taming of excessive liberty, there is another element that appears as part of the state function to prevent seditions. Hobbes's enlarged definition of safety as not just 'bare Preservation, but also all other Contentments

of life, which every man by lawful Industry, without danger, or hurt to the Commonwealth, shall acquire to himself' (Hobbes 1985: 376) spells out a governmental function of the state. Freedoms are produced by the state to ensure the prosperity of the population. They are not normalised but fostered, artificially created by the state without any reference to a false/excessive liberty or (non-)freedom. It is no longer the Leviathan that appears as the artificial creation of the social contract, but the individual itself is being re-fashioned, artificially re-created.

In *De cive*, following the chapter on seditions, Hobbes prescribes upon the sovereign state the duty to 'ensure that the citizens are abundantly provided with all the good things necessary not just for life but for the enjoyment of life' (Hobbes 1998: 144). Such an approach deriving from the state function of ensuring prosperity entails a different conceptualisation of freedom. This concern with population, its 'multiplication', prosperity is the other side of disciplinary normalisation, it is encapsulated by biopolitical practices. Foucault had located the emergence of an art of government as early as the fifteenth and sixteenth century. Yet, it was only in the eighteenth century that the art of government found its own rationality by inventing the notion of the population. The population becomes the ultimate end of government itself (Foucault 1991: 100).

In Hobbes, an account of governmentality *avant la lettre* subordinates the concern for the welfare to the population to the prevention of seditions. The state has therefore to take care of the reproduction of the population, of their prosperity, to ensure domestic peace and defend them against external enemies. The state does not simply avoid the resurgence of the 'state of nature' in its middle, i.e. as civil war, through repressive and disciplinary means, but is also supposed to ensure the good living of its subjects through governmental technologies. The policing function of Leviathan is not simply repressive and dissuasive; it also needs to facilitate the circulation of persons and goods, the provision of goods, use all forces, restrict superfluous spending, etc. The creation of regulated freedoms can prevent resistance to domination. The governmental function of creating prosperity is linked to the prevention of civil wars and forms of internal resistance. In *Behemoth*, the 'admiration [of] the great prosperity of the Low Countries after they had

revolted from their monarch' (Hobbes 1990: 3-4) is again mentioned among the causes of the English civil war. Protected and prosperous, citizens have no reason for discontent with the Leviathan.

What does this 'governmental' function of the state mean for liberty? To ensure the prosperity of the population, the state needs to foster certain liberties, like the liberty of circulation or commerce. The state becomes a producer of freedom; it creates a series of freedoms which can serve to enhance its prosperity and the welfare of the population. It needs freedom and therefore it has to produce it and it also has to organise it. Liberty becomes a '*technical*' requirement of governing the natural processes of social life and, particularly, those of self-interested exchange' (Burchell 1991: 139). These freedoms, however differently interpreted by mercantilism, Keynesianism or (neo-)liberalism, constitute the subject as the artificial *homo economicus*.

Governmentalised freedom as freedom without an outside is no longer defined by its excesses, but immanently, through considerations of proper use. Is the use of liberty aligned to the purposes of the state? The logic of governmentalised freedom is totally different from liberty under conditions of necessity. Freedom becomes a question of use value which would allow for certain economic and social processes to unfold. The creation of artificial freedom eliminates the outside of excessive freedom. Social and economic processes have no outside, they become constitutive of the community without the mediation of political subjects. Political equality is no longer the basis for the constitution of community, equality as a principle of action is replaced by equality as a goal, by programmatic equality in Badiou's terms. Freedom becomes a governmental creation linked to specific processes that ensure the 'ordered' functioning of the state and its population and that also contains the criteria for its own control. The constitution of the subject as self-regulating has become an explicit political stake. The imperative of self-government is internal to the functioning of economic processes. Such freedoms can be effective, utile to the social and economic processes if certain 'technologies of agency' and 'technologies of performance' are united in the subject (Dean 1999a). The former

seek to enhance the possibilities for agency and the latter subsume actions to a calculative regime.

Artificial freedoms are governed according to a different principle of necessity namely efficiency. Efficiency is, however, no longer understood as the calculation and adjustment of ends and means which would be part of any political decision.⁶² The criteria of efficiency are already given by the knowledge of economic and social processes. Subjects adjust their freedoms to these processes. Governmentality no longer works with a paradigmatic relation between the state and the citizen. With the invention of the population and the use of political economy as a rationality of government, the relation between the state⁶³ and its citizens or certain spheres to be governed works with the principle of utility. Is the liberty of certain categories of the population or in certain areas desirable for proper government? The answer varies and can only be supported by a detailed knowledge of the population. Only a certain kind of liberty – a certain way of understanding and exercising freedom, of relating to ourselves individually and collectively as subjects of freedom – is compatible with liberal arts of rule (Rose 1999).

The differentiation between excess and proper use is important inasmuch as it allows me to think not just the double of liberty/security, but the triptych of liberty/security/equality.⁶⁴ Freedom as excess speaks of the insurrectional moment of politics, the moment in which political equality is allied with freedom in actions against domination. Freedom as proper use suspends the problem of political equality. Equality becomes programmatic, it is to be understood as substantive, a goal to be achieved by governmental programmes. Programmatic equality is based on a constitutively inegalitarian society, with subjects labelled as capable or incapable of aligning their

⁶² I am grateful for this point to Lene Hansen.

⁶³ The state is understood here in its Foucauldian sense, including practices of 'government at a distance'. For a discussion of state practices and government at a distance, see Rose and Miller (1992).

⁶⁴ Huysmans has analysed border control and surveillance as different types of technologies to tackle the excesses of freedom. In the context of the EU, he defines security policy 'those political and administrative practices that address excesses (e.g. a sudden inflow of very large numbers of immigrants) *endangering* the orderly conduct of freedom' (Huysmans 2004a: 305).

actions to the purposes of government. Moreover, this constitutive inequality suspends excessive liberty and the enactment of political equality. The criteria for the proper use of freedom are given by immanent processes which are deciphered by professionals: economists, social scientists, demographers, etc. A proper use of artificially created freedoms – e.g. freedom of movement, freedom of commerce – divides populations among categories. Inequality is not only characteristic of social relations, but becomes constitutive of who subjects are. Those who use freedom properly are the self-governing subjects, able to manage themselves and their liberties. The paradigmatic liberal subject is therefore the subject capable of self-control, the subject that harnesses her freedom to the purposes of the state and avoids its excesses. However, such a freedom – Hindess warns us – is not something ‘granted to individuals as such and in general: it is granted to certain individuals only and within particular circumscribed domains’ (Hindess 2001: 97). The relation between those who are governed and those who govern is variable, depending on the categorisation of the governed. Freedom is to be granted to these self-governing subjects. Those who are not yet capable of self-regulation have their freedoms restricted under the imperative of utility or efficiency.

The liberal state has a long history of people who are deemed not to possess or to display the attributes required for the juridical and political subjects of rights and who are therefore subjected to all sorts of disciplinary, bio-political and even sovereign interventions (Dean 1999a). Alongside the minority of self-governing subjects, the rest are constituted as subjects whose freedom is to be severely restricted. I have already shown that security practices constitute categories of subjects and objects. This division is made possible given the use of freedom by these subjects. The governmentalisation of freedom introduces a new aspect to the excessive liberties of the multitude. Calling a king a tyrant made visible a wrong and a form of oppression. It was available as a practice to anybody who could hold the state accountable for its practices, it was the insurrectional moment that always haunted the constitution of political communities. Political equality can only appear as superfluous in relation to artificial freedoms that are supposed to ultimately lead to relative equality. The insurrectional moment can no longer be invoked.

As social and economic processes have become naturalised, the state will hold individuals and groups of the population accountable for the proper use of their freedoms so as not to impinge upon the natural unfolding of these processes. Hobbes has warned against the dangers that commerce in some products can mean for the state. Trading too much can be dangerous for the state as well as trading too little. Those who do not conform to the limits and conditions set by the state become dangerous. They are not dangerous to the state itself, but they pose a risk to the good functioning of certain societal and economic processes. Thus, they become dangerous to society, to the rest of the population. The danger posed is not one of direct sedition against the state, but one of indirect disordering of the processes that make up the state. The governmentalisation of freedom is doubly removed from the insurrectional moment of politics. Not only was constitution separated from insurrection, but the constitutional moment is unimportant in the temporal rendering of the state as constituted by economic and social processes.

Trafficked women are not dangerous only because they have broken the law or because of their difference. They are dangerous given the ways in which illegal migration is understood, as unordered disturbance of the processes of free movement. Women pose a threat to freedom of movement – a governmental process devised by the EU as a method of effective government. Breaking the parameters set by the state for what freedom of movement should be turns women into risky others. As the risk they pose is one of renewed migratory projects, it must be understood as a risk to a process, not to the state, society, groups of people.

Migrants are not simply defined as a threat to Western societies, values, etc. – they are defined as threat to processes that ensure the prosperity and smooth functioning of the state. Freedom of movement is beneficial for the state as long as there are not too large a number of migrants who increase the strain upon the labour market. Hence, there is a categorisation of migrants depending on their economic usefulness. These people are not, however, directly inimical, they do not threaten the state – even if in more extreme versions such is the threat that is being formulated in the media. They endanger the proper functioning of freedom of movement.

Yet, there is another element that makes migrants most dangerous besides their role in the processes of the state or their (illegally) crossing of borders. The French discourse of the 'seuil de tolérance' [threshold of tolerance] regarding migration is revealing in this sense. Migrants can be tolerated as long as they play a role in the functioning of social and economic processes, as long as they do not migrate in higher numbers, for other reasons than work or political asylum and do not raise any claims politically. Interestingly, as Balibar has pointed out, the question of the 'seuil de tolérance' has not been raised in relation to labour, but in relation to housing, welfare, education, everything that serves for the reproduction of labour force (Balibar 1992). Migrants become a problem when they try to have access to social housing, welfare benefits, when they manage to bring their families, when their children go to schools, when they are no longer reduced to raw labour force. Migrants become dangerous when they no longer enact freedoms granted to them in certain areas, but attempt to enact political equality, claim equal treatment or equal rights.

Migrants become the embodiment of an insurrectional form of politics that both political theory and state practices have attempted to distance and prevent. In light of the reformulation of the relation between liberty, equality and equality, one can argue that migrants become dangerous when they attempt to reactivate the insurrectional moment of politics. The threat of trafficking and the risk that victims of trafficking pose is embedded in the threat that illegal migrant (sex) workers – the category from which victims of trafficking are extracted – can pose. Illegal migrant (sex) workers can activate an insurrectional politics that challenges the inegalitarian premises of the constitution of states and the exclusionary effects of their governmental practices.

The two forms of freedom that appear in Hobbes, liberty and its excesses on the one hand and artificial freedoms and their proper use on the other point to a differential relation between liberty, equality, and security. Although Hobbes thought that equality (or the lack of enough difference) between men led to the war of all against all, political equality was the point of departure in the constitution of the Leviathan. If this equality was suspended through preventive disciplinary practices of excessive liberty, it always

harboured the risk of being reactivated by 'factions' and 'multitudes of citizens' as a form of insurrectional politics challenging state practices. The artificial freedoms that the state creates suspend equality by dividing the population into categories depending on their capacity for self-governance and proper use of freedom. Without an outside or a fiction of the state of nature, a state differentiated from the state as political community, artificial freedoms naturalise the inequality of political subjects. Equality as the form of action, as the principle that informs insurrections and revolts is replaced by programmatic equality, equality that can be achieved by working upon the inequality of subjects or practices. Those who resist state practices are categorised as unable to behave properly, or as unequal in some other way, by virtue of some particularity (class, race, nationality, mental or intellectual condition, etc.).

The freedom of trafficked women is therefore doubly unthinkable: both as excessive liberty and as properly used freedom. Freedom of movement cannot be practiced by subjects who are not useful to the social and economic processes sanctioned by the state. Trafficked women cannot enact excessive freedoms as they are not participants in the constitution of the political community where they attempt to claim rights. Women are aliens to both the Member States and the EU as a whole. Hobbes' lesson is that the freedom of women who cross border in search for work – making themselves vulnerable to abuse and exploitation – is unthinkable inasmuch as the insurrectional moment of politics has become unthinkable. My reading of Hobbes and of the treatment of freedom and equality has attempted to bring back the spectre of an insurrectional politics and make insurrection thinkable again.

Inseparable equality and liberty or equaliberty

The discussion of liberty and equality in Hobbes has revealed different understandings of these concepts. I have attempted to retrieve an understanding of excessive liberty linked with equality in forms of insurrectional politics that have been suspended by the constitution and functioning of the Leviathan. Political theory has often gone along with this suspension of an insurrectional understanding of liberty and equality and has seen

equality as substantive and liberty as a status. Consequently, equality and freedom could be thought only as separable and incompatible rather than intrinsically related. Liberalism for example is characterised by the paradox of liberty and equality. 'Premising itself on the natural equality of human beings', Wendy Brown has argued, 'liberalism makes a political promise of universal individual freedom in order to arrive at social equality, or achieve a civilized retrieval of the equality postulated in the state of nature' (Brown 1995: 67). With liberalism, equality is deferred, turned into a goal to be achieved, while liberty is seen as primary. Socialism sees equality as primary and subordinates liberty to the requirements of equality.

In coining the awkward concept of equaliberty (reading equally awkward in French), Balibar has argued that equality and liberty are inseparable, that privileging either equality or liberty is equivalent to denying both. The concept of equaliberty posits the inseparability of equality and liberty as a historical realisation:

...the reasoning that underlies the proposition of equaliberty ($E=F$) is not essentialist. [I]t is based on is the historical discovery, which can legitimately be called experimental, that their *extensions* are necessarily identical. To put it plainly, the situations in which both are either present or absent are necessarily the same (Balibar 1994: 48).

Equality and liberty can only be verified in particular situations, none is given substantively. Equaliberty is to be verified by political actors in concrete situations. The proposition of equaliberty can be translated as the historical inseparability of equality and liberty or that equality is identical to freedom. In practice, '*neither* can true liberty go without equality *nor* can true equality go without liberty' (Balibar 1994: xiii). As the equation of liberty and equality has emerged out of historical practice, there is no proof of this truth but a negative one: equality and liberty are always contradicted together (Balibar 1994: 48). Equality and liberty are contradicted in the same situations, there can be no situations which suppress or repress freedom and do not also suppress or diminish

equality. In the situation of trafficking, the inequality of illegal migrants is also a form of unfreedom, be it freedom of movement or even freedom of choice.

The opposite of the proposition of equaliberty is therefore the proof of its truth: situations of constraints on freedom also mean social inequality. Unfreedom is identical to inequality as freedom is identical to equality. The deferral of equality through the creation of the Leviathan would make the liberty granted to citizens a form of unfreedom. The creation of artificial freedoms is in itself a strategy of division and inequality of categories of the population. The body politic is doubly constituted through a double deferral of equality: first citizens can enjoy only formal liberty and second, the majority of the population is subjected to practices of unfreedom. Balibar has emphasised three aspects of equaliberty that contradict the Hobbesian constitution of the body politic. The first is that politics is founded on the recognition that neither freedom nor equality can exist without each other, i.e. that the suppression or even the limitation of one necessarily leads to the suppression or limitation of the other. Secondly, equaliberty implies universality. Democracy is a historical process of the extension of rights to all humanity. In the third place, equaliberty implies... a universal right to *politics*, the right of every man and every woman to become the 'subject' or agent of politics' (Balibar 1994: 49).

The imperative of security constitutes political communities through practices of inequality and unfreedom. Those who make use of excessive liberty to resist a tyranny or to resist oppressive practices challenge the inequality of domination. The multitude challenges the right of the sovereign to judge on good and evil and manifests itself as an equal judge. Governmental freedoms depend upon an inegalitarian premise; through the distinction that is traced among categories of the population, freedoms become unfreedoms. Equaliberty refers to the freedom of every subject to resist oppression and domination; such freedom can only be enacted or claimed through equality. Equality challenges the very logic of population division (as the logic of security) and therefore opens a space for liberty. Equaliberty is universal in that nobody can be excluded from politics based on particular characteristics or predicates; it functions in the tension

between fictive and ideal universality, between the arbitrary limitation of politics and its universal promise.

The equality that informs a transformative-emancipatory politics needs to be set at a distance from the concept of difference. As Badiou has separated the politics of emancipation from any cultural predicates, equality needs to be separated from the very popular concept of difference. In a recent article on Balibar's concept of equaliberty, Alan Johnson has argued that it has an affinity with the feminist 'equality-versus-difference' debate (Johnson 2003). Despite apparent similarities, I contend that political equality points to an idea of indifference to difference, to particularity.

The feminist problematique of equality-versus-difference derived from the political question of claims to equality, claims which were interpreted as subduing and erasing difference. Therefore, the question that has beset feminist struggles and political theory is: how can women claim equality with men, while at the same time needing claims based on difference? The equality theorists were thought to accept the basic claims underpinning liberal political theory, that the idea of equality is neutral vis-à-vis gender (Squires 2000: 118). The difference theorists argued that equality is actually anthropocentric and called for women's specificity to be recognised in feminist struggles rather than effaced in claims for equality.

One of the ways out of the quandary of equality-versus-difference has been to refuse the terms of the question altogether, to refuse the dichotomous mould in which the question of equality-versus-difference has been formulated. The deconstruction or displacement of the dichotomy has challenged the connection of equality with sameness and of difference with dichotomous sexual difference. Sexual difference could be deconstructed in a criticism of dichotomous thinking (see Lloyd 1984; Prokhovnik 2002) and its simplification of the world. On the side of equality, a similar strategy of displacement has consisted in the deconstruction of the equality-sameness equation. The definition of equality as sameness, 'a condition in which humans share the same nature, the same rights, and the same terms of regard by state institutions' is intrinsic to liberalism

(Brown 1995: 153). The conceptual force of equality rests on the assumption of difference, which should be in some respect valued equally (Squires 2000: 129).

Joan Scott has proposed to 'relax' the concept of equality by redefining it as 'deliberate indifference to specified differences' (Scott 1994: 294). Equality no longer presupposes sameness, but a deliberate ignorance of some differences. She would be at pains to accommodate the claims of dominated groups of women against the equality of Women (defined as white, middle-class, and straight). The challenge of lesbians and feminists of colour to the equality-versus-difference debate has shifted it onto the side of difference, of differences-within-difference, the different voices of oppressed and dominated women under the category of Women. Feminism therefore had to preoccupy itself with how to give voice to these different categories.

Yet, a continual emphasis on 'differences that differ' can lead to a political quagmire. Victims of trafficking are already different – one can create other differences, be indifferent to certain differences while pointing out others. What counts is not a list of differences, but how one gets out of listing differences. It is an important insight of the intersection of feminism and poststructuralism that subjects are different from their constitution through history and practices of power. However, this awareness is not enough for political struggles. Why should one difference be supported as opposed to another? The answer has variedly concerned the history of injustice or the hierarchisation and polarisation of differences. The difference of black women has been doubly subordinated to the difference of men and the difference with white women. The challenge for feminist politics was how to formulate this antagonism/agonism of differences without losing all possibility of a common struggle.

In a historical view of women's struggles, one can argue that struggles for liberation have sometimes involved the right to be equal and at other times the right to be different. Scott has brilliantly shown how 'difference' and 'sameness' have both been present – although in tension – in the struggle of women as early as the French Revolution. Feminism is the paradoxical expression of that contradiction in its effort both

to have 'sexual difference' acknowledged and to have it rendered irrelevant (Scott 1996: 168). In her own words,

Feminism was a protest against women's political exclusion; its goal was to eliminate 'sexual difference' in politics, but it had to make its claims on behalf of 'women' (who were discursively produced through 'sexual difference'). To the extent that it acted for 'women', feminism produced the sexual difference that it sought to eliminate. This paradox [...] was the constitutive condition of feminism as a political movement throughout its long history (Scott 1996: 3-4).

The usage of sexual difference arguments is therefore contextual. In relation to work, she claims that at certain moments it may make sense to claim a re-evaluation of the status of 'women's work' (as a 'comparable worth' strategy) and contexts in which it makes more sense to argue for the entry of women into 'nontraditional' jobs (Scott 1994: 296). Interestingly, both claims are actually not 'difference' or 'sameness' claims, but egalitarian ones. What Scott's comments reveal is that the question of 'equality-versus-difference' has been interpreted as a question of 'sameness-versus-difference'. The equality-versus-difference debate made equality stand for the erasure of difference.

Geneviève Fraisse has convincingly criticised the awkward joining of 'equality' and 'difference' by feminist theorising. She has asked why a philosophical, ontological concept such as difference – whose correspondent is obviously identity – has been connected with a political principle such as equality – whose correspondent is liberty (Fraisse 2001: 251-253). Feminist literature has brought together the ontological discussion of identity/difference and the political one of equality/liberty through a combination of equality and difference. The rationale of such a move takes equality through the ontological prism of identity and assumes that equality is destructive of difference. Yet, difference itself is hierarchical and leads to inequality. Fraisse has suggested that the 'difference of the sexes' should not impede the formulation of a politics of equality and liberty. Instead of

opposing identity and difference, one should play upon their possible conjunction: women are different from and similar to men. Here, paradoxically, she has joined Scott in the intimation that claims to identity/difference can be formulated depending on the context.

Drawing inspiration from the critique that Fraisse formulates, my contention is rather that the question of equality/liberty should not be joined to that of identity/difference. I have shown that an emphasis on particularity, on difference leads to a politics of inequality that is the politics of the status quo and of security. The equality-difference debate in feminism obscures the importance of equality as a principle for politics, by reducing it to an identitarian concern. While it is true that identity and especially sexual/gender difference has been a major problem for feminist thought, it is important that one should not lose the political potential of the concept of equality. Badiou is worth quoting at length here, as his comments are an interesting alternative to the feminist debates around identity/difference:

The progressive formulation of a cause that engages cultural or communal predicates, linked to incontestable situations of oppression and humiliation, presumes that we propose these predicates, these particularities, these singularities, these communal qualities, in such a way that they become situated in another space and become heterogeneous to their ordinary oppressive operations... But in the end, between this particularity present in the practical, concrete support of any political process, and the statements in the name of which the political process unfolds, I think there is *only* a relation of support, but not a relation of transitivity. You can't go from one to the other, even if one seems to be 'carried' by the other (Badiou 1998b: 118-119).

'Difference' arguments can be mobilised contextually in support of a politics of equality, but they are not transitive to a politics of equality. The terms that need to be connected are equality and liberty.

Equality is not identity or equalisation as this would mean a denial of freedom. Such is the problem that feminism encounters once more when it attempts to think politics for the woman-other. I have shown how a transformative/emancipatory politics for trafficked women has to be divorced from identity/difference concerns, even if 'sexual difference' and the naturalisation of woman (or a certain category of women) has been instrumental in the imaginary of prostitution. The situation of prostitution can be approached politically by means of questions of inequality and unfreedom rather than difference.

This insight bears a lot of weight for my previous discussion of the divisibility of freedom exactly through the construction of difference. If difference is the primary instrument of political struggles, it can become consonant with governmental strategies of population categorisation and division. As the defining principle of politics, equality suspends the possibility of such categorisation. The separation of equality and freedom allows for the deployment of practices of security. A politics out of security, a politics of transformation and emancipation is based on the insurrectional enactment of equality and liberty as indeterminate principles whose extensions are to be verified in particular situations.

Although Balibar does not consider inequality as preceding unfreedom, a Foucauldian analysis of governmentality and security has shown that hierarchy and division precede unfreedom. Governmental freedoms operate through the division and categorisation of populations. The case of trafficking in women is one of those historical instantiations of the absence of both equality and freedom. The unthinkability and absence of freedom or liberty is linked with the absence of equality. Freedom can only become thinkable from the standpoint of a form of equality, the equality of work. Balibar's proposition of equaliberty offers an important insight as claims to freedom are impossible in the absence of equality. Trafficked women are categorised by the state as a specific population group, whose risk is to be ascertained and upon whom a variety of sovereign, disciplinary and governmental technologies are to be deployed. It is the difference of the trafficked women that makes them unequal and risky. Politics starts with a subjectification

that is universalising and not differential. Work functions as a universal that suspends the specifications of difference in the situation of trafficking.

The analysis of the linkage between inequality and unfreedom, as well as the discussion of equality and freedom has shown a point absent in Balibar, namely that (in)equality precedes (un)freedom. If certain historical situations display either both political principles or none, transformative/emancipatory struggles enact the principle of equality in order to politicise liberty. Liberty can become thematised, politicised, contested or enacted only from the standpoint of equality. Otherwise liberty remains presupposed as the 'unlimited power of the negative' (Badiou 2003b: 74), the ontological freedom of the modern subject to resist oppression and domination. Equality disrupts the dividing practices of security and allows the dangerous and risky to enter the stage of politics, to invent egalitarian names for themselves and derive political freedoms from these names.

The relation between equality and freedom understood as the political practice of emancipation and transformation reconfigures situations defined by inequality and domination. Rather than substantively defined, equality and freedom can only be understood as non-domination and non-discrimination. As the principles of non-domination and non-discrimination, equality and freedom are maxims for action, principles that are not linked to any form of particularity or difference, but which intervene in any situation in which difference is formulated as domination or discrimination. Unlike Balibar, I understand equality as the condition of liberty. Without the prerequisite of non-discrimination, of equality, interventions against domination cannot be formulated. It is the unconditional equality of all subjects as political subjects and participants that supports the enactment of liberty in situations of domination. Liberty is also necessary as a word for politics inasmuch as a politics of transformation and emancipation is a politics of excessive liberty, of forms of insurrection that take rights and freedoms beyond the boundaries assigned to them and challenge situations of domination.

The transformative-emancipatory politics in the situation of trafficking suspends what I called in the first chapter the 'vectoring' of security by suspending its structuring of the situation as a situation of domination and discrimination. The situation of trafficking

can be reconfigured through the maxim of equality that starts from those who would count for nothing and that transforms, through political action, into a struggle for liberty and rights.

Conclusion

This chapter has questioned another absence in the struggles that unmake practices of security in the situation of trafficking, namely that of claims to liberty/freedom. It has started from the assumption that the presence and thematisation of freedom, the formulation of political liberties is actually impossible in such a context and has attempted to understand what turns freedom into an impossibility. To this purpose, I have revisited the conceptualisation of freedom and its relation to equality and security in Hobbes' political theory. Through a re-reading of Hobbes, I have shown that what makes claims to liberty unthinkable in relation to the situation of trafficking is not security, but the absence of equality. I have shown that the definition of liberty entails several moves away from equality as a political principle and insurrectional politics. Firstly, the state curtails the possibility of excessive liberties and minimises citizenship through disciplinary and repressive practices that attempt to prevent and make impossible insurrections against situations of domination and discrimination. Secondly, the state also creates freedoms to be enjoyed as part of the immanent social and economic processes of the population. These freedoms are to be differentially enjoyed, depending on the capacity for self-government in accordance to state goals. The move from liberty to freedom can be read as an intensified attempt at suspending equality and insurrectional politics. The governmentalisation of freedom undermines equality even more as it classifies individuals in different categories depending on their capacity for governing their freedom. Political equality remains only a moment of departure in the Leviathan, a moment from which the Leviathan departs in its functioning.

I have argued that the dangerous are primarily those who could reactivate the spectre of the insurrection beyond the constitution of the state through the social contract or its reproduction through the governance of social and economic processes. Those who

could enact a politics of equality and liberty against situations of domination and discrimination are to be incapacitated through practices of security. Trafficked women become dangerous through the excessive and disallowed use of freedom of movement. As non-nationals, non-citizens, trafficked women are *a priori* excluded from freedom of movement. Other differences (e.g. risk profiles) re-construct them as a category continually prompted to endanger processes of migration and freedom of movement defined by the EU and its Member States. Trafficked women are already outside the equality of citizenship and its national content. Their past biographies add to this social inequality the inequality of 'nature': they are unable to govern their freedom and permanently incapacitated from the use of freedom. Yet, beyond this constitution of danger there is the spectre of the more dangerous illegal migrant (sex) workers, the category from which the victims of trafficking are extracted. Illegal migrant (sex) workers embody the danger of reactivating insurrectional politics, of exposing situations of domination and discrimination. If forms of insurrection are to suspend the vectoring of security in the situation of trafficking, if a politics of emancipation and transformation happens, it is because an instantiation of equality has been made possible. Equality disrupts situations of discrimination and suspends the divisions of freedom depending upon categories of subjects. Non-discrimination entails the attempt to reconfigure situations as situations of non-domination.

VIII. The politics of writing

Introduction

A transformative-emancipatory politics of human trafficking engages locally with institutional practices and enacts the principle of equality-liberty in any situation of domination and discrimination. Politics means singular decisions by subjects to enact the impossible in given situations: decisions by trafficked women to claim the equality of prostitution as work before the ECJ and have freedoms that derive from it, the 'impossible' decision by sex workers to become a collective subject that holds accountable state practices that deny to some people the right to sell their labour and the freedom to create a better life for themselves.

While these struggles *happen* in various sites, this thesis has *written* about them. It has brought concepts and abstractions to work within politics, while simultaneously holding these concepts accountable to the thought of politics. Therefore, reflecting upon this relation between abstraction and politics, between theory and praxis is the responsible engagement with the 'conditions' of one's own work. This (self-)reflection is even more important in the context in which this research has been formulated, namely that of the 'governmental' social theorising about human trafficking and security.

I have started with an exploration of the ways in which human trafficking is depicted: varied 'governmental' ways, attempting to describe and locate this heterogeneous and illusory phenomenon so that technologies of government can be deployed to manage it. Human trafficking has been problematised as illegal migration, organised crime, prostitution or abuse of human rights. In attempting to impose a regime of truth about the problem of trafficking, these representations remained indifferent to the problematisation of security. Migration, organised crime, prostitution and even human rights are also subjected to governmentalisation through security, vectored through discourses and practices of security. Migration is almost consensually considered a

security issue and human rights can become similarly securitising through practices of risk management. Given this 'deeper' structuring of human trafficking by discourses and practices of security, I have tried to think how these very practices can be challenged, rather than opposing human rights to organised crime constructions and reinforcing the logic of security.

In writing about security or human trafficking, I have not entered any of the fields attempting to define an 'object' of study, but have undertaken a 'problematism of problematisation'. I have explored the ways in which human trafficking and security are problematised and the effects that specific problematisations entail. The 'problematism of problematisation' is not singular to my research; it has been at the heart of critical approaches in security studies. Yet, the problematisation of problematisation as critique was insufficient without an understanding of how the existing problematisations of human trafficking and security could be unmade. Thus, the 'problematism of problematisation' is also a 'politics beyond problematisation'. Problematisation opens a range of possible answers and the problematisation of problematisation shows how these answers create specific categories of subjects/objects.

I have shown that a politics that disrupts the effects of the problematisation of human trafficking as security, that un-anchors security is a universal politics of equality and liberty. Formulating prostitution as work, this 'impossible' politics challenges the representation and value of illegal migrant sex workers in a situation from nothing to those who count as workers. Although this politics is the thought of those who organise and mobilise, this author has also (re)thought the situation of trafficking and tried to locate forms of politics that would unmake its security problematisation. How is theoretical thought linked to transformative-emancipatory politics? As mentioned before, this question stems not only from the political interest in 'how others write', but from a reflective judgment on how this author has written.

Reconsidering the politics of writing also means considering the politics of this very writing. Can such theorising avoid becoming governmental, has this theorising avoided the trap of governmentality? If this research has started by assuming a link between the

theorisation of human trafficking and the institutional practices to govern the phenomenon, this chapter will open up this relation. It will explore different modes of conceptualising the relation between theory and practice (with reference to theories of security and security practices) and will attempt to situate a theory that is linked to a politics of transformation and emancipation. I shall argue against the assumption that theory is immediately political/governmental, entering a field of politics directly – an assumption that functioned to a certain extent in the field of human trafficking. I shall also contest the belief that theory is only an *a posteriori* rationalisation of what happens.

Although the spectre of 'governmentalisation' haunts both the trafficking and to a certain extent the security literature, scholars have tried to propose theories that would resist this governmental temptation. If 'what is human trafficking?' or 'what is security?' is the starting point of a theoretical approach, the answers given can be mobilised to buttress dominant practices. Their descriptive undertaking becomes constitutive of the modes of governmentality of human trafficking. By answering the question of 'what' needs to be governed, academics provide similar answers to those given by 'professionals' in a field. This literature is also governmental at a meta-level inasmuch as it subordinates its ends to the means of governing the social. The purpose of theory is to explain certain undesirable phenomena in order to stop or prevent such phenomena from occurring. Yet, within both literatures there have emerged attempts to think a 'different' politics. On the side of human trafficking, a radically different representation of trafficking was thought to subvert the state-led representations of illegal migration, crime and prostitution. On the security side, the question of how to write about security has emerged as a concern with desecuritisation, emancipation or ethics.

I have shown at length the problems that all these attempts to divorce writing from governmentality have led to. The rights of trafficked women are actually the non-rights of risky migrants. Even when 'human rights' were formulated as being at odds with the predominant discourse, this discourse has in turn been governmentalised, infused by technologies that have made it consonant with risk management. Desecuritisation is only an off-hand attachment to analyses of security, emancipation is conceptually identical to

security. Ethics is most radical in this triad inasmuch as it attempts to replace security with other modes of relationality, e.g. responsibility. Ethics does not inscribe its concepts in political struggles and attempts to 'authorise' *a priori* what should be. Moreover, all these theoretical approaches are confronted with the political translation of concepts into praxis. Interestingly, this points to a relation between two forms of praxis, intellectual and political, rather than a general relation between theory and practice.

A politics of emancipation and transformation necessarily starts from an anomalous position in a local situation. A transformative-emancipatory theory would also start by making sense of its subjective position within intellectual praxis. Yet, theory is not entirely accountable from this subjective position. Just as politics needs principles, theory needs more than its subjective position. It is defined by its own logic of *writing* besides the logic of what *happens* politically. I shall argue that theory is configured by the contradictions between its own subjective position (intellectual praxis) and a context of writing (existing theoretical debates) with its conventions on the one hand, political praxis and freedom of thought on the other.

To sketch out how theory can think its relation both to intellectual praxis and a politics of emancipation and transformation (political praxis), I shall draw once more on Badiou's and Balibar's discussions of philosophy and politics. Although not engaged in questions about being and ontology like philosophy, theory shares with Badiou's understanding of philosophy the fact that it works under the condition of politics. It also cannot escape the fundamental inequality that Balibar has pointed out, namely the 'intellectual difference' between forms of practices. Theory itself, I shall argue, needs to try and enact the principles of equality and freedom, as 'impossible' a task as this may be. To develop an understanding of a theory of emancipation and transformation and its relation to praxis, I shall proceed in two stages. I shall first revisit several of the theories discussed in the first two chapters of this thesis and explore how they relate to praxis. Building on some important insights from these theories, but also contra them, I shall reflect on this particular writing in the light of Badiou's and Balibar's discussions about the role of philosophy in relation to praxis or political action.

Human trafficking and security: locating the aporias of theory

Theories of human trafficking and theories of security span a continuum between the governmental and the anti-governmental, to use Hindess' distinction of Foucauldian politics. Theories attempt both to provide particular answers to the specificity of a problem and to resist this formulation. The relation between the governmental and the anti-governmental is never clear-cut. There is an anti-governmental impulse even in the most scientific theory that attempts to tell the truth of the world, as this truth can potentially be different from the truth proposed by existing power relations. The governmental temptation resurfaces even in the most radical anti-governmental theories that attempt to give voice to the silenced. We have seen that the particularity of different voices cries for integration within a governmental regime. Yet, this tension between the governmental and the anti-governmental makes theorists grapple with different understandings of theory. In what follows I shall consider five such understandings of theory: adequacy to the world, habitus, speech act, immanent critique, and limit of power. These approaches are not exhaustive and they clearly resonate with the approaches and theories I have engaged with in this thesis. Their relation to the governmental and the anti-governmental, to emancipation and transformation will also vary. In a rather loose way, I have named adequacy as the theory of the literature on human trafficking, habitus the theory of Bourdieueans in security studies, speech act that of the CoS and other language-prone constructivist, immanent critique the Critical legacy of the Frankfurt School and the limit of power Foucauldian-inspired engagements with theory.

Theory and adequacy to the world

The first chapter has discussed the literature on human trafficking as 'governmental', as embarking upon the adventure of defining what human trafficking is. Despite the numerous co-existing interpretations and descriptions (trafficking as illegal migration, smuggling, organised crime, prostitution, or human rights), these approaches start from

the premise that there is a 'correct' description of their object of study. What is most interesting about the literature on human trafficking is that theoretical struggles have immediate practical implications. In the field of human trafficking knowledge circulates rather rapidly between academics and practitioners. Academics are mobilised by different governmental or non-governmental institutions to provide conceptual tools for understanding the phenomenon and doing something about it. For instance, in the IOM Migration Research series, most of the reports have been commissioned to academic consultants (e.g. Anderson and O'Connell Davidson 2003). Various institutions have devised 'manuals of good practices' for anti-trafficking or counter-trafficking, employing academics and mobilising their knowledge for governmental purposes.

What is remarkable about such reports is how they acknowledge while separating various descriptions of human trafficking. In a report on good practices on recovery, return and integration of trafficked persons, human trafficking is both an issue of illegal migration and a complex human rights abuse (Kvinnoforum 2003: 5), without any contradiction being noticed when training of law enforcement officials and 'sensitisation' are envisaged. Theory and practice do not explicitly intersect with politics. Taking the human rights approach is not *per se* exclusive of other approaches – it simply nuances and refines the existing descriptions of trafficking. Institutional and academic struggles over definitions lead to potential coalitions. Many of the reports underscore the necessity of institutional cooperation, especially between law-enforcing agencies and NGOs. Each institution will continue to do its 'old' job, while being additionally trained in a new approach. The effects of such practical injunctions can be understood theoretically through the conjunction of the human rights and the risk management approach.

The relation between theory and practice is modelled on the concept of adequacy of theory to the reality to be described. The appropriateness between theory and human trafficking as an object is paramount. Much of the literature on migration or organised crime discusses the adequacy of concepts too. Is human trafficking illegal migration? Or is it smuggling? Are traffickers an organised network? Are they friends and family? Whatever answer one gives to these questions, it has important practical consequences.

Given the complexity and heterogeneity of the object, these answers need not be mutually exclusive, but represent various facets of the same reality.

Therefore, these theories cannot be challenged based on their adequacy to reality. When human rights approaches challenge the descriptive adequacy by bringing in the perspective of trafficked persons, these persons need to be 'selected' so that they do not displace other taken-for-granted practices and descriptions. There is nothing, however, in reality that tells us which description is more appropriate to it. Human trafficking is and is not illegal migration. What counts is the political decision to use a description, in which context and for which ends. Nothing in the reality of prostitution tells us whether it is work, abuse of human rights, symptom of societal gender inequality, or a constant of human behaviour. It is from a political stance that these various descriptions gain meaning. Those focused on intervention, on re-thinking human trafficking as human rights abuse challenge these theories from their effects and not their appropriateness to an object or a phenomenon.

The critical literature on security has undertaken a 'problematism of problematisation' concerning security. It has attempted to analyse discourses or the conditions of discourse that make a certain construction of security 'true'. Yet, an important part of the literature on security is still governmental, a direct problematisation of what security is. Is security real or is it constructed? Whatever the answer, a certain adequacy to the world is implied, depending on whether the world follows a pattern of continuity or transformation. As there is an on-going traffic between reality and theory that adjusts the latter to the former, security has been theorised as either too restricted or too wide to be adequate to our social reality. For the former the reality to which security adjusts is that of national security. For the latter, reality is socially constructed and the concept of security reflects these historical modifications.

Other security theories have looked at discourses and practices of security as social reality. The construction is the real. The agents of construction and their praxis acquire a prominent role and questions of adequacy are suspended. How do these agents bridge the gap between theory and practice?

Theory as habitus

The security theory that draws inspiration from Bourdieu is the one to offer an answer to the question. They propose one of the most complex locations of theory/knowledge and its agents/practitioners. What is the role of theory and of academic writing for the sociology of security? Bigo has raised the question of the impotence of critical discourses against the securitisation of migration, 'why the production of academic and alternative discourses has so little effect in either the political arena or in daily life' (Bigo 2002: 65), implicitly raising the question of the role that theory/academics can play. His answer is important for placing or rather dis-placing the role of theory. First, he argues, the securitisation of migration is based on our conception of the state as a body or container of the polity. Secondly, it is structured by the *habitus* of security professionals and their new interests not only in the foreigner but in the 'immigrant'. And finally, it is based on the 'unease' that some citizens who feel discarded suffer because they cannot cope with the uncertainty of everyday life.

The second point has been normally connected with the Bourdieuean analyses of security. In this approach, theory is a question of intellectual praxis and not simply a corpus of ideas about the world. Expert knowledge mobilised by security professionals makes other forms of academic knowledge that are critical less legitimate.⁶⁵ As Bigo himself has remarked, the intellectual can have a critical role, but not as important as that of the security professionals. The Bourdieuean sociology of capital conversion makes the intellectual a player in the field of security professionals only as long as she can convert her own capital into knowledge that can compete with that of the security professionals.

Yet, the more urgent question of a Bourdieuean field analysis is: how would the academic get her critical ideas? This question does not receive an easy answer given the way the field functions. The actors' positions depend upon their *habitus*, which is in turn

⁶⁵ To understand the relation of academic theories to expert knowledges, one can follow Bourdieu and consider the academic as an actor in a field of cultural production.

structured by stakes in the field. The ontological complicity between the *habitus* and the objective structures of the social space create a specific form of 'disinterested interest' about the game or the field.⁶⁶ The disinterested interest of the security professionals in the game of security is that of having to neutralise or manage security threats. As their knowledge and practices are driven by their *habitus*, it is unclear where/how to locate a critical *habitus* within the field of security professionals.

In a recent series of lectures at Collège de France, Bourdieu's thoughts on the scientific field and the scientific homo academicus (Bourdieu 2001) have shed light on the limitations of a critical *habitus* within a specific field. Without embarking upon a discussion of field boundaries between natural and social sciences, one could take Bourdieu's comments as valid for other academic fields. Being an academic is a 'job', one enters a field with its own *nomos* (rules) and regularities. The actors' strategies depend upon their position in the structure, as well as upon their trajectory outside the field (Bourdieu 2001: 74). It is the second element that could open up the possibility of an interesting link between theory and practice. Yet, Bourdieu is more interested in the field as a space of struggle than the 'outside' within which the field is placed. He does not consider how an agent links to the 'outside', except in terms of social origin or school performance. The academic therefore remains captive to the interests of the field (which appear as a specific form of disinterestedness, that of scientific knowledge).

How does change happen? Bourdieu's answer to this dilemma is that of the 'struggle within the field of power' (Bourdieu 1990: 146). He places hopes of social change in the complexity of the social field or rather in the interaction between different fields. Yet, if Jacques Rancière is right that on Bourdieu's terrain of social exchange there is nothing but interests and ways of denying them (Rancière 2003a: 361), academic criticism has to confront the limit of interest. The parallel idea that there are moments of 'crisis', when the *habitus* is no longer aligned with the structures of the field and doxic assumptions can be

⁶⁶ Bourdieu analyses the field by means of an analogy with a game. Both the field and the game are defined by rules that the players have to obey and which represent both a constraint and resource to be used.

contested relies on an assumption of external change.⁶⁷ For example, the end of the Cold War spelled a change in structural positions of the military for example, who were forced to change their technologies for dealing with security problems. If there is a change in *habitus*, this is not a critical change. The military would just attempt to acquire a good structural position in the newly acquired field. In situations of crisis, the *habitus* is superseded by other principles of action, namely 'rational and conscious computation' (Bourdieu 1990: 108). Rational computation is linked again to the interests that define a field and to structural positions and not the possibility of generating a critical *habitus*.

However, Bourdieu's belief in the role of sociology indicates that change can happen not from within but also from 'outside' the field. The sociologist has to expose the true functioning of a field (to those outside it?) and show how the mechanisms of society function with the 'unknowing' complicity of agents (Bourdieu 1990: 70). If structures of domination can only function with the complicity of individuals who have internalised them (Bourdieu 2002: 20), then hope rests with these very individuals, the dominated who are complicit in their own domination. In this straightforward injunction to the weak and the dominated, Bourdieu eschews his own analyses of the field and the capital one needs to become part of a field. I have shown that NGOs had to formulate a knowledge that could be useful for the management of trafficking to enter the security field defined by the EU.

A field where structural positions are occupied by security professionals has no space for those constructed as dangerous. Even if they understand how security functions, they would not have access to the field of security professionals. Bourdieu's social science tells us that without capital to convert it is impossible to become part of the field struggles. How would the dominated enter a field to enact change given that their actions are limited by the volume of capital to be placed on the symbolic market (Rancière 2003b: 193)? Visions of the world can only be changed by those with the social authority and capital to do so.

This is where the two other levels come in. By pointing to a 'structuring' metaphor of the state-as-container, Bigo simultaneously emphasises the role of language and

⁶⁷ de Certeau has also made this point in his analysis of Bourdieu (de Certeau 1990).

existing metaphors for the imaginary of security. This level can be understood as ontological security, the imaginary promise of security. The third point adds the materiality of political economy, the real unease that people feel in neo-liberal globalisation. Security would therefore transfer other malaise onto the figure of an enemy. Bigo's theory of security seems to need to go beyond a Bourdieuean field analysis by trying to make sense of a shared imaginary of the promise of security and 'deeper' insecurities which cannot be shaken by an imaginary of security. The flexibilisation of work for example is an intrinsic part of what neo-liberal capitalism is – there is no imaginary of security that can offset these practices of insecurity.

At this point, I wonder whether Bourdieu's theory does not miss exactly the element of 'contradictions' from Marxist and later on critical and Foucauldian theory. As there are contradictions within the vision of the world, or between how this vision is institutionalised and other practices, the 'dominated' can hold on exactly to these contradictions. The vision of the world is not simply that of capitalism, but that of equal and free political subjects who have a say in the functioning of the community. The production and reproduction of groups can only function between the vision of the world and its reality. The production of illegal migrants is possible in a world of states as self-contained entities and the reality and needs of capitalism. At the same time, it is important to remember that these are not the only visions and realities of the world. There is a vision of equality and liberty as well as there is a reality of struggles against the dominance of capitalism. Rather than trying to open the eyes of the 'unknowing' dominated, theory would explore these contradictions and tensions.

Theory as speech act

Unlike the Bourdieueans of security studies, the CoS have eschewed questions about change and the role of academic theory and praxis. Nevertheless, they appear to share with Bourdieu a belief in the science that exposes the functioning of society (the mechanisms of securitisation). The CoS have advocated the role of the security analyst as

an observer of social reality, giving injunctions and providing tools to be seized upon by other societal forces. The analyst is supposed to sharpen the analytical tools to offer a better understanding of security, of how security happens. Politically however, the academic theory and praxis is not in a privileged position. And neither are other forms of knowledge. Politically all theories and discourses are birds of a feather, i.e. speech acts. This political equalisation can be inferred from the theory of securitisation.

We have seen that securitisation takes place in the discursive interaction between elites and masses, within a communicative space where the elites need to convince the masses about their security claims. Within this communicative space, there can be other discourses that would compete for the (de-)construction of security. Even if the CoS do not undertake an analysis of which discourses enter this communicative space and which do not, one can assume that a relatively open public sphere would make room for academic discourses. The question to confront concerns the success of different speech acts.

What is more important, however, is the egalitarian assumption that the audience could refuse to accept a securitising discourse or that somebody (anybody) could formulate an alternative one. One of the alternative discourses might well be an academic/intellectual one. Of course, one is confronted again with a question, this time whether an intellectual discourse can be alternative if it only shows how security happens. If academic theories only show the mechanisms of security, the normative dilemma is inescapable: 'how to write or speak about security when the security knowledge risks the production of what one tries to avoid, what one criticizes: that is, the securitisation of migration, drugs, and so forth' (Huysmans 2002: 43). The normative dilemma that Huysmans formulates here is that of 'governmentalising knowledge' or how knowledge that exposes the ways of the world only makes these ways more entrenched.

Supposing that the free circulation of discourse and the relative freedom of subjects are enough to give birth to critical discourses, academic theory appears as another speech act, another discourse. In the public sphere, a politician's discourse could be interchanged with an academic theory or an NGO speech. If discourses meet

unhindered in the public sphere, the role of the academic can be similarly important to that of a politician, parliament or even media. They all convey discourses that are targeted at a specific audience. Even if speech act theorists drawing on Austin know that discourses depend upon institutional conditions or 'positions of authority' in Bourdieu's terms, Waeber has favoured a non-conditioned theory of speech acts which draws inspiration from Butler's interpretation of performative speech acts.

Butler has criticised Bourdieu for linking the 'authority' of speech acts exclusively to institutional positions, so that only those who are legitimate actors in the field can successfully 'do things with words' (Austin 1975 [1962]). She is concerned with discourses that can be authoritative in relation to a particular subjective position. Such authoritative practices as Rosa Parks' (the black woman who famously refused to give her place on a bus to a white person) can only happen from an abject subjective position, those who have a different *habitus*. I shall not dwell on the acrimonious criticism addressed at Butler for having divorced the Rosa Parks' act itself from the social and legal context of mobilisation that had been going on.⁶⁸

Butler's discussion of Rosa Parks is important for linking theory to a position absent from the social theories discussed so far. Butler's theory is harnessed to the resistant speech act of the abject, it does neither involve the dynamics of elites and audience nor the structured positions of a field. She locates insurrection within the spaces of abjection, by those who feel most directly and immediately the effects of power/domination/security. 'In laying claim to the right for which she had no prior authorization', Butler says about Parks, 'she endowed a certain authority on the act, and began the insurrectionary process of overthrowing those established codes of legitimacy (Butler 1997a: 141).

In the CoS discussion of the position of the analyst, the 'normative dilemma' remains unsolvable. By focusing on elites, politicians, parliaments and other 'legitimate' actors who can speak security, the analyst runs the risk of replicating processes of

⁶⁸ For a compelling discussion of the case of Rosa Parks and of the differences in Butler's and Bourdieu's accounts of agency, see (Lovell 2003).

securitisation through description. Yet, once one brings in the 'effects' of such processes, especially for the constitution of subjectivity, abject subjective positions open a different space for theory. Theory as speech act could enact only the way the world is and thereby reproduce it. Similarly to Bourdieu's hope that exposing the mechanisms of domination will lead to change, the CoS believe that the role of theory is to expose the mechanisms of securitisation. For Butler however theory can only function in relation to abject positions and marginal speech acts.

Theory as immanent critique

Although not drawing on Butler, critical security studies have harnessed theory exactly to the marginal positions she talks about. Linking critical security studies with marginal positions is not done by means of a speech act approach, but through an immanent critique. Theory is primarily a critique of the state of the world from within, a critique that brings to light the tensions and contradictions existing in reality, pointing towards possibilities of emancipation. To appeal to an established reader of the Frankfurt School, immanent critique is 'a critique that worked from within the categories of existing thought, radicalised them, and showed in varying degrees both their problems and their unrecognised possibilities' (Calhoun 1996: 23). Critical security theorists have pointed out the falsity of the equation of state security and individual security and shown the contradiction that exists between the security that the state owes to all its citizens and the real insecurity that it can itself create. The state that claims to protect individuals simultaneously creates cohorts of insecure others. In claiming security for the insecure, CSS simultaneously seek to reorient the concept of security towards a more inclusive or 'positive' security which does not need to be zero-sum and not limited to the state.

The immanent critique safeguards CSS against accusations of normativism, moralism, and idealism. The concept of security that they endorse is neither normative nor moralising. It means rather, as Pinar Bilgin has argued in the case of the Middle East,

being sensitive towards conceptions of security adopted by the region's peoples, representing the ideas and experiences of those who have been marginalized by the dominant discourses *and* drawing up an alternative template for thinking about regional security that promotes emancipatory practices (Bilgin 2004: 28).

The critical edge lies in the contradiction between the state's promise and its practices. As long as there is a contradiction at stake...

According to Moishe Postone, one of the critical theorists whom Wyn Jones recommends as a source of inspiration for future CSS,

[s]ocial contradiction ...is the precondition of both an intrinsic historical dynamic and the existence of the social critique itself. The possibility of the latter is intrinsically related to the socially generated possibility of other forms of critical distance and opposition – on the popular level as well' (Postone 1993: 88).

The insecurity effects of security contradict the state's promise of security. Yet, as this thesis has shown, this is not a contradiction. The state's promise of security is not a universal one – it excludes exactly the dangerous, the risky, and the order disturbing. The promise of security is one of ordering and bordering. The contradiction located by CSS within security practices does not prevent a social structure from achieving stability, but rather supports the achievement of stability. Hence, security enters in collision with other concepts that disturb the social order; those who are dangerous often act against the very principle of security. Migrant women make themselves insecure throughout a journey whose purpose is a better life – a better life which could be hardly defined in terms of security.

The fact that real people are insecure is not a contradiction for security; rather it is constitutive of what security is. The concept of security has been historically constituted in

relation to the state – or some institutional form that would do the securing and it has meant the creation of a boundary within societies, within populations and even within the self. I have shown that security is linked to a governmental definition of liberty, of what one can do and be. What security historically excludes is equality that can support the enactment of liberty. Just like the state in Marxist analyses, security is not an instrument that can be appropriated by a different agent. It is a dispositif of institutional practices and a legitimising rationality for relations of domination and exclusion within society.

Theory as the limit of power

The relation between theory and practice in feminist theories of security can be approached by looking at how they reframe the notion of social contradiction. The contradiction becomes difference, a difference that is still antagonistic to the stability of the whole and that is therefore silenced and excluded. Politics does not happen in the vociferous scene of struggle set up by social contradictions, but through the more muted resistance of those who are excluded or silenced. The contradiction that could become the terrain of a struggle gives room to differences that are simply excluded and hierarchised in dominant power relations. Hence, insecure women are the other of protective men, drug addicts the other of American values and so on. The power that subtends constructions of identity and difference functions through a dynamics of inclusion/exclusion. The other is included only through exclusion, through being the counterpart of that which is to be secured. The migrant paradoxically buttresses the idea of state sovereignty and societal values, while being excluded as the other of the community it serves to reinforce.

Theory gives voice to all those who are excluded from dominant narratives, it makes visible the limit of power. Theory is first a process of visibilisation, independent of whether there are struggles going on or not. Despite divergences between standpoint and postmodern feminists, there is a common attention to particular stories, to small narratives in opposition to grand narratives. Some feminists listen to the stories women tell, while

others expose the ways in which regimes of power/knowledge function locally and how they constitute women.

It is interesting that despite the focus on difference and multiple stories, the concept of contradiction is at least implicit. Difference needs to be translated backwards upon a contradiction to become relevant politically. 'Womenandchildren' in Elshtain's famous expression are not just the justification of the state's security policy, they are those who are made insecure. When the state justifies security in the name of 'womenandchildren', their insecurity points to the contradiction between state discourses and practices. Although many feminists have followed the normative path of CSS, a feminist critical theory would not claim security for 'womenandchildren', but show how a particular identity of 'good' women is being created through security practices.

The most important contribution of some of the feminist theorising could be that of making apparent the contradictions between justifications of power and real effects of power relations. The promise of security is contradictory not because it makes some insecure, but because it makes insecure exactly those to whom security was promised. Yet, when feminist theory follows the injunction to draw upon 'everyday forms of theorising that recuperate women and their experiences' (Sylvester 1996: 263), their recuperation of abject voices can obscure the contradictions that appear through an analysis of the effects of power relations. Their attention to spaces of abjection and the resistance to power has tried to bridge the gap between intellectual praxis and political praxis. Feminist theory has always echoed women's struggles. This is also Foucault's legacy to poststructuralist theories. His *Discipline and Punish*, for example, cannot be separated from the history of the activist *Groupe Information Prison*, which struggled for the change of prison conditions.

Dilemmas

Two dilemmas emerge out of these different understandings of theory. First, what is the meaning of theory? Theory as *habitus* would indicate that theory is the job of those placed

within the academic field or an academic-related field. Theory as adequacy to reality would also need specific tools and professionals to discover and assess this appropriateness. Theory as speech act would fall on the other pole of the dilemma, theory as any form of discourse or thought that infuses practice. This equality of discourse is nevertheless embedded in power relations which rarefy certain forms of thought while buttressing others. Second, how does the position of the intellectual or the theoretician relate to the subjective positions of those who struggle against domination and oppression? The theorist is neither directly nor immediately part of the struggles that excessive subjects formulate. She is often not part of the collective subjectification and organisation of those who struggle. If theory is abstract thought that crosses the boundaries of an academic field, the concepts and the rationale of struggle need to be made sense of in other fields. Theory at the limit of power can open contradictions that allow for a critical position to be formulated. Even if intellectual praxis makes theory not immediately part of political struggles, theory cannot equally be denied its spontaneous moment, the moment of reflective judgement that takes it beyond the determinations of habitus. Feminists have shown that theorists need to be attentive to the formulations of struggles in political praxis. Nonetheless, theory cannot adopt the struggle of those who resist, of the weak or of those who are denied access to politics. It also cannot reframe these struggles in the terms it has inherited from its own field, as CSS do.

Between the historical conditionality of its own field and of political praxis, between an anti-governmental impulse and the spontaneous moment of judgement, theory appears to work with contradictions. The theories discussed appear to preserve one of the poles of the dilemma and supplant the other. A transformative-emancipatory theory does not only locate the anomalous subjects of politics, it also reflects upon their practices by thinking politics with the two axiomatic principles, equality and universality. It projects its reflective judgement upon these struggles to understand not just their history but also their politics. It attempts to bridge the separation between the subjective position of the theorist and those who struggle, while being aware that the gap cannot be eliminated.

Politics: re-locating the aporias of theory

How does theory relate to the principles of transformative-emancipatory politics? First, theory needs to tackle the dilemma of inequality which is part of its location in a field of praxis. Second, it needs to deal with the dilemma of power relations and the inequality of positions between the theoretician and political subject. Third, it needs to relate the principle of freedom within the equality of all. The answers that Badiou and Balibar have provided do not solve these dilemmas, but give us a different insight into what these dilemmas mean. The principles of politics that I want to preserve within theory (or rather the role of theory) create a different entry point into the dilemmas of the other approaches.

Politics before theory

Badiou's thoughts on the relation between philosophy and politics are a helpful insight into how theory relates to praxis or philosophy to politics. Badiou does not share any of the concerns with intellectual praxis or the position of the academic (for him, of the philosopher). As he links philosophy with truth, with the possibility of deciding upon the truth procedures that are on-going in other spheres, questions of interest and stakes in the field are not immediately relevant for the philosopher. Yet, there are other loci where one might say that theory is created. If one sees thought and abstraction as definitory of theory, then theory as thought informs politics, science, art and even love (Alain Badiou 1988). Badiou's militant in politics can hardly be imagined at a distance from any theoretical thought. There is a double definition of theory in Badiou: on the one hand the thought of all and on the other philosophy. Badiou is able to 'solve' the dilemma of inequality between intellectual praxis as theory and political praxis as thought only by making this distinction.

As politics affirms the 'political capacity of all people', the principle that 'everyone can occupy the space of politics, if they decide to do so' (Badiou quoted in Hallward 2003: 225), thought cannot be the prerogative of somebody, but is the prerogative of all. There is therefore a strictly egalitarian and universal approach to theory in Badiou. The militant is

the subject of truth par excellence. The militant thinks with concepts and abstractions as well as strategically. The philosopher is the meta-subject of truth, the subject that thinks the truth of the militant. Although theory is equally shared by all as abstract thought, strategisation and rationalisation, a meta-theorist is necessary.

One could say that the militant thinks politics before the philosopher does. The location of theory is initially the same as the location of politics. Thought infuses all forms of political struggles and thinking is the inseparable unity of theory and practice. In politics, for example, thinking circulates between concepts, principles, certain directives and modalities of intervening in a situation. Building on this initial equation of theory and practice, one can say that theory needs to source itself from the struggles in which the dominated participate. Theory makes explicit the thought that infuses such struggles. An emancipatory theory is under the condition of an emancipatory politics. It knows it cannot make itself real, but it can designate the truth of a potential political orientation. Theory welcomes and shelters the fragile procedures of politics in thought.

This first attempt at translating political thought at the level of theory faces us with a series of aporias. The first aporia is common to much feminist and poststructuralist writing: by expressing thought that is being formulated elsewhere, does one not silence that thought? In one of his early books, *Can Politics be Thought?* Badiou was adamant about the relation between political thought and action. 'Above all, it's necessary that the *sans-papiers* themselves speak out about the situation, that they speak about it politically and not just by bearing witness to their own misery or misfortune' (Badiou 2003a: 125). Politics requires presence without mediation. In trying to avoid the inequality of theory versus practice, of thought that 'knows better', theory is still faced with the dilemma of depriving the other of her capacities for thought and abstraction. At this level, the dilemma remains unsolvable.

If one considers however the other location of theory – philosophy – the aporia can be redefined. What is the role of philosophy for Badiou? Philosophy is the place where politics is thought (Badiou 1992: 223).⁶⁹ Politics is one of the conditions of philosophy.

⁶⁹ '[L]e lieu ou la politique est pensée' (translation mine).

Politics is deployed as immanent thought of its prescription and possible effects. Philosophy states that this politics *will have been*, if there is fidelity to it (Badiou 1992: 222). The theoretical or philosophical statement is not the same as the political one; they are neither fused nor simultaneous. Philosophical thought is distinct from political thought, even if one can say that both pertain to theory. Philosophy needs to remain distinct from politics, although their de-differentiation or what Badiou calls 'suture' is not a new thing in the history of philosophy. Marxism most famously proposed the suture of philosophy to its political condition (Badiou 1999: 62). This is the idea in the famous *Theses on Feuerbach*: 'Philosophers have interpreted the world. Now it's time to change it'. Suturing politics to philosophy means the direct transformation of the world through philosophy. In his analyses of the twentieth century, Badiou has discussed this desire of making theory immediately practicable as the century's 'passion for the real', the desire to make real, to inscribe in reality directly any theoretical project.

The distinction between philosophy and politics faces us with a second aporia. Politics is not self-sufficient, a wager in a situation and fidelity to its truth. A meta-theory is needed, philosophy, whereby the truth of politics is gauged. Philosophy is 'metapolitics', which means the philosophical effects that philosophy can derive from thought (Badiou 1998a). Hence, philosophy is not simply 'the locus of thinking wherein (non-philosophic) truths are seized as such, and seize us' (Badiou 1999: 126). Although philosophy also 'pits thought against injustice, against the defective state of the world and life' (Badiou 2004a: 39), it parallels politics only partially. Philosophy is not simply *critique* of what is.

A political struggle is not necessarily right for being waged from a subjective position of domination. As Badiou has emphasised, the 'anomalous element' of a situation is only the site of the event and its carrier, it is not the event as the formulation of a political struggle. Not all struggles are right and the universal address and principles of equality and liberty are the emancipatory measure of struggles by the dominated. Other struggles can take conservative and reactionary forms. Hence, philosophy gauges the truth of political events and subjective fidelities. This author's challenge has been to think the difference *between security and political struggles for equality and freedom*. As a

practice of constituting communities and ordering societies, security can only be understood in relation to political challenges to and disruption of what a community is and how it is ordered. A theory of security would start therefore with politics, with the analysis of the struggles and political subjectifications of those who are deemed dangerous and upon whom technologies of security are to be deployed. This argument has caused some discontent among security theorists. 'Does the security analyst need a master political theorist?' has asked Hayward Alker in response to this author's claim to the primacy of politics (2006). Theories of security are embedded in political struggles and contestation over the meaning of communities and the ordering of these communities. Analysing practices of security without re-embedding those within the political context which they structure obscures the challenges to the status quo.

Emancipatory and transformative theory cannot simply take up the struggles and the analyses that the dominated provide, it embarks upon a more difficult process of thinking these struggles and their emancipatory potential. To make theoretical and political decisions, a point is needed for the decision. 'There is a moment when one must be able to say that this is right and that is wrong, in light of the evidence of the principle' (Badiou 2004a: 54). An emancipatory theory will have a twofold task. It must, first of all, examine the statements and prescriptions of such political orientations in order to uncover the egalitarian nucleus which bears a universal signification. Secondly, it must transform the generic category of 'justice' (or one might say of 'equaliberty') by submitting it to the test of how such statements inscribe the egalitarian axiom in action (Badiou 2004a). Finally, theory also has the task to show that such a political orientation designates the figure of a political subject.

By means of a simultaneous linking and de-linking of philosophy and politics, Badiou is able to criticise 'false' or 'evil' events and uphold 'good' or 'true' ones. *L'Organisation politique* has supported the mobilisation of the *sans-papiers* in the summer of 1996, when hundreds of African immigrants occupied the Saint Bernard church in Paris for several months. This mobilisation showed the *sans-papiers* as ordinary workers under extreme pressure but who manifested themselves as equal political subjects. According to

the journal of *l'Organisation politique*, *La distance politique*, what is needed is to finish once for all with the word 'immigrant' and its repressive character. By rejecting the name of *clandestin* and proposing that of *sans-papiers*, the movement of Saint Bernard has rejected the words immigrant and immigration (La distance politique 1996b). Similarly, *l'Organisation politique* has continually denounced the politics that distinguishes between asylum-seekers and economic migrants. In the words of *l'Organisation politique*, it is obvious that 'the immense majority of immigrants are workers or people looking for work' (La distance politique 1996a).

Even if Badiou starts with the hypothesis that politics is primary and has its own truth and thinking, philosophy is necessary as metapolitics, a meta-theory of truth and thinking. Philosophy thinks the thought of politics, but it does so only by thinking the situation from which the event springs and by holding this politics accountable to the principles of equality and universality. As a separate modality of thought, theory does not silence political subjects, but gauges the truth of their politics. What remains unclear with Badiou is the specificity of philosophy besides its meta-theoretical judgement on the principles of politics. If philosophy is defined by logical revolt against the injustices of the world, nothing differentiates it substantially from the thought of the militant for example.

Theory between conjuncture and politics

Balibar has made explicit the similarity and difference between theory and politics that is only indicated in Badiou. For Balibar, theory means on the one hand, the power of ideas: a paradoxical power, as it derives not from the ideas themselves, but from the forces and circumstances which they are able to seize on. On the other, it also means the power of abstraction, which has to be understood in a broad sense, including liberal discourse as well as critical thought that contribute to excluding the people and democracy, while claiming to represent them (Balibar 1995c, 44). Theory partakes of a historical context in which ideas are formulated. Through abstraction, theory goes beyond an intellectual praxis to be found across society.

Balibar's thoughts on the relation between theory and practice infuse most explicitly his monographs on Spinoza and Marx. Besides this more exegetical approach, the relation between theory and practice is put to work in his writing on current issues. The problem of migration, of the *sans-papiers* is most interesting in this sense both as it speaks to the concerns of this thesis and as it has oriented Balibar's political thought. In an article which had prefaced his own thesis defence, Balibar has offered a definition of philosophy as a constant endeavour 'to untie and retie from the inside the knot between conjuncture and writing' (Balibar 1995b: 144).

Spinoza, Marx as well as other philosophers can only be approached in the conjuncture in which they wrote. The *Philosophy of Marx* sees Marx as the philosopher who has written most in the conjuncture. The conjuncture, a term dear to Marxists (and especially Althusserian Marxists) clarifies the relation between philosophy and politics or theory and practice. As Warren Montag has put it in the Preface to *Spinoza and Politics*, 'all philosophy is political, inescapably embodied, no matter how it may strain to deny this fact in the practical forms of historical experience (Montag 1998: vii).

The conjuncture is more than the historical context to which poststructuralists would also be attentive. The conjuncture is a moment of the social process where action, subjectivity and history come together. A conjuncture, as Balibar says, is not a *Zeitgeist*, 'spirit', dominant ideology or even *episteme* (Balibar 1995b). It is not homogenous or self-identical, but rather is riddled with contradictions and conflicts that reflect its historical tensions. One could say that the conjuncture is the present traversed by the play of forces. Similarly to Badiou, Balibar posits the continuity of politics and theory. Theory is directly immersed in politics through the contradictions and the conflicts which define it.

In an article on the *sans-papiers* in France, Balibar shows the complexity of the concept of conjuncture. The conjuncture of the eighties and nineties in France displayed a series of complex contradictions: between the socioeconomic structures and state sovereignty, between xenophobic reactions and projects of republican refoundation, between the violence of administrative practices and the elementary requirements of the

lives of foreigners installed within the polity as workers, consumers, and users of public services (Balibar 2004b: 32-33).

The bulk of the article is dedicated to making sense of the transformations that allow for such contradiction. First, there is the absolutisation of national values that comes not only from the tradition of state sovereignty, but which is exacerbated in conditions of socioeconomic crisis and uncertainty, in conditions of the limitation of state sovereignty under globalisation. Secondly, there are the practices and discourses around the colonial heritage. Thirdly, there is the development of a European racism in the construction of European identity, which separates nationals of member countries from *ethnic communities, immigrés, extracomunitari, Ausländer*. His analysis of the conjuncture is linked to two related conclusions: on the one hand the unrealised possibilities that exist in the conjuncture (for example, the possibility of a different definition of European citizenship) and on the other the struggles of the *sans-papiers* for regularisation and rights. Through the analysis of the conjuncture, Balibar proceeds to a radical redescription of these struggles.

Paradoxically, the struggles of the *sans-papiers*, perceived by the government as disturbances of the public order, desperate forms of blackmail or products of a conspiracy whose manipulators should be sought among 'criminal networks', have been and are privileged moments in the development of *active citizenship* (or, if you prefer, direct participation in public affairs) without which there is not polity (*cité*) but only a state cut off from society and petrified in its own abstraction (Balibar 2004b: 48).

The 'truth' of these struggles, if I can use here Badiou's term, can only appear in the struggles within the conjuncture. These struggles make apparent the contradictions in the conjuncture and reinforce Balibar's 'consistent affirmation that only singular forces, unpredictable events, and dialectic evolutions actually shape history' (Balibar 2004b: viii).

The struggles of the *sans-papiers* are political inasmuch as they preserve a meaning for the 'principles of collective emancipation, popular sovereignty, and universality of the public sphere' (Balibar 2004b: 32). Theory gives the right interpretation to these struggles that are not its own only by placing them in relation to the contradictions of the conjuncture and questions of economic, social, and political conflict.

Yet, theory is also an inegalitarian form of power, a denial of the politics of equality and liberty. Against the very principles of collective *self-emancipation and political presentation*, theory represents and interprets. Balibar's discussion of Marx has noted that Marx had made the relation between theory and practice dependent upon the 'division between manual and mental labour' or the intellectual difference in general (Balibar 1995c: 49). The division of theory and practice has inbuilt the division between intellectual and manual labour, between reflection and technique, between execution and knowledge (Balibar 1994: 55). This relation can be inscribed in a relation of collective inequality (the elites and the masses). The division between manual and intellectual labour does not only entail a sociology of knowledge that links intellectual praxis with the dominant classes, but it also raises more profound questions about how a critical theory can think its own conditions.

As Balibar has put it, critical theory has to think its own determination as an intellectual activity (Balibar 1995c: 120). Theory needs to think its own relation to social interests and ideology or 'regimes of truth' in Foucauldian terminology. Critical theory conducts an analysis of intellectual difference both in the register of knowledge and in that of organisation and power (Balibar 1995c: 52), an analysis which sheds light on the inequalities of knowledge and the inequalities of power. Against these inequalities, Balibar claims that what is needed is at the same time 'a neutralization *and* redistribution of knowledge, an "equivalence" of knowledgeable and unknowledgeable individuals with respect to the right of expression in public space *and* a symbolic dissociation of the institutional equivalence between "intelligence" and "knowledge" (Balibar 1994: 57). The inequality of knowledge is to be supplanted by the equality of intelligence. The phrase is

reminiscent of Rancière's famous rejection of intellectual difference. He has argued - and Balibar would most likely agree - that

there are not two levels of intelligence, that any human work of art is the practice of the same intellectual potential. In all cases, it is a question of observing, comparing, and combining, of making and noticing how one has done it' (Rancière 1991: 36).

Balibar sees the most radical suspension of intellectual difference in the universal access to politics. The *sans-papiers* have equal rights to make politics, independent of what they know or do not know. Politics is a question of the equality of intelligence and not the inequality of knowledge. Theory can make explicit how an inequality of knowledge (those who know, the police, the administration, the state) supports an inequality of power (those who make politics, who decide upon the membership in a political community and those who do not). Beyond this equality of intelligence that can be seen as the abstract thought of all that Badiou mentioned, Balibar makes another similar move to Badiou. He re-describes the struggle of the *sans-papiers* as equal participation in politics. Therefore, the truth of theory is intrinsically linked with the truth of struggles. Truth, says Balibar, 'contradicts the "dominant" forms or criteria of universality, that is, it embodies a practical criticism of ideology' (Balibar 1994: 170). Yet there can be no fusion between the truth of theory and the truth of struggles. This was also Badiou's implicit problem when he defined politics as a procedure of truth while simultaneously defining truth as the instrument of philosophy for approaching politics. It is definitely impossible to solve the dilemma of the truth of politics/the truth of theory. What Badiou and Balibar both point to is the necessity to keep theory both at a distance from and in proximity to politics.

The existence of two 'truths' leads to the realisation that there are no guarantees in politics. Excessive subjects can be beyond the representations of a situation; yet, they need not construct equal subjectifications or engage in a universal politics. Hence Badiou defines the truth of politics as an opposition between good and evil in *Ethics* (Badiou

2002a). Fascism is the perversion of the truth of politics, of its principles of universality, equality and non-closure – and theory can gauge its falsity. Theory draws the distinction between truth and falseness, between politics and its perversions and distinguishes between politics as emancipatory and transformative on the one hand and security on the other. This emphasis on truth would sit awkwardly with the poststructuralist definition of truth as the effect of power/knowledge. I have shown that the description of human trafficking attempts to create a 'regime of truth', to speak the truth about what trafficking is, thus limiting what can be said or done about human trafficking. The truth of politics that Badiou and Balibar discuss goes beyond the repetition of established knowledge. It is linked with the new that disrupts a situation.

Where Balibar is most at a distance from Badiou is in the recognition of the role of writing in philosophy or theory. Philosophers do not only write *in a conjuncture*, they also *write* in a conjuncture. Balibar's own writing develops from encounters both with a political conjuncture as well as with a conjuncture of thought. Writing is a process that confronts the aporias of other texts and brings out their contradictions and their limits. The exploration of the unrealised possibilities of a text is always related to the unrealised possibilities in reality. If Badiou recognised the importance of logic and reason in a philosophical argument, Balibar places it in the larger context of philosophical debates. In a beautiful turn of phrase, Balibar defines the relation to writing as 'a permanent short-circuit or short-cut between the immediacy of thinking and its longer history (Balibar 1995b). Theories exist in relation to other theories. Writing exists therefore in relation to a conjuncture and there is also a conjuncture of writing. Theory is more than a speech act. Theory relates to immanent change but it is not just that. Theory functions in a field, but it is also a process of thinking that encounters and distances itself from politics. Theory makes explicit power relations without 'shedding light' on anybody. Those who struggle know that they struggle against power. The relation of theory to politics is not only mediated through the relation between intellectual praxis and political praxis, but also through the relation between theoretical debates and struggles in a conjuncture.

Conclusion: Writing with the contradictions

Theory and practice, writing and the conjuncture, philosophy and politics exist in 'equivocal contradiction and tension' (Bensaid and Corcuff 1998). Contradictions cannot be surpassed or synthesised, they function rather as aporias, propelling us to think the impossible in a situation and the possibility of a future. They are also not caught in an interminable experience of the impossible (Jacques Derrida 1993), but inform political decisions.

Theory is first the thought of all. There is an element of equality of intelligence that would make theorists attentive to the struggles and the formulations of excessive subjects in a situation. The thought of politics is to be taken as 'thought', as theory. More than just the feminist 'everyday theories' or the attention to marginal positions, politics itself works with abstractions and concepts – sometimes borrowed from theory. Following Badiou, theory also thinks politics – it thinks these struggles from the perspective of justice, by making the principles of emancipatory and transformative politics stand for all forms of political struggles. If theory is intellectual praxis, it is not in Bourdieu's sense of a field inhabited by professionals. Theory is intellectual praxis only in its location in a conjuncture of politics and writing. While for Badiou the philosopher thinks the truth of political events, Balibar emphasises the conjuncture as defined by other contradictions (economic, social, political, which can lead to struggles or not).

In this thesis, I have also linked theoretical thought to forms of struggle and politics that disrupt the situation of trafficking. The struggle for the recognition of prostitution as work introduced a heterogeneous claim among the governmental practices that order the situation of trafficking.⁷⁰ If theory is to locate forms of emancipatory politics and gauge its truth, it cannot be at a distance from analyses of power relations. Excessive subjects and their political struggles can only be understood from within the dominant representations in a situation. To this, theory has added a metapolitical element, it has considered forms of resistance and struggle and has argued for the 'truth' of the struggles that allow for the

⁷⁰ Governmentality is another way of analysing the multiple facets of a conjuncture.

equality and rights of illegal migrant sex workers. I have therefore claimed that the struggle of (legal and illegal) sex workers for equal rights is a politics of emancipation. I have also drawn distinctions between true and false politics, between a politics of security that legitimises and justifies inequality and exclusion and a politics of emancipation and transformation that makes equality its very principle.

Although I have argued that a theory of politics and an understanding of struggles are *a priori* to any engagement with security, the path followed in this thesis has been the reverse. I have started from within conjunctures of writing, from within security theories. Writing places theory in an intellectual context, it makes it obey to rules of logical and social control. The intellectual context within which I have formulated the question of the effects of security (what does security do?) appeared however to be insufficient. Critical theories of security are paradoxical inasmuch as there can be no critique of security without an understanding of the politics that security practices attempt to normalise, neutralise, or eliminate. This thesis has worked with a continuum of emancipatory and transformative politics – from what security denies or suppresses to the politics that could unmake security practices. While equality and freedom have been at the heart of the politics it has formulated, the equality and freedom of theory can be approached as aporetic. The recognition of abstract thought in all forms of praxis does not do away with the structural positions that intellectual praxis (as work) enjoys in relation to other forms of thought that might infuse the social. This realisation makes the need to judge forms of resistance and political engagements even more difficult. As theory can be mobilised in relations of domination, is the denial of politics not a form of domination itself? The freedom of the theorist is also defined through the constraints of writing, of a certain conjuncture and its canons. These aporias cannot be solved, but point out the necessity of the theory's commitment to equality and liberty, to emancipation and transformation, even when those appear as impossible or too difficult from within a conjuncture (be it of politics or of writing).

Conclusion

At the time when this research approaches its necessary closure, several actions undertaken in relation to trafficking in women highlight once more the contradictions and political (im)possibilities to which this thesis has spoken. On 18 October 2005, the European Commission issued a communication on 'Fighting trafficking in human beings – an integrated approach and proposals for an action plan'. After naming 'human rights' as the fundamental concern in tackling human trafficking, the document immediately emphasises its dimensions of organised crime and illegal migration. 'High profits from labour and sexual exploitation, the Commission points out, are often subject to money laundering and may enable traffickers to engage in other criminal activities and to achieve economic, social or even political power' (European Commission 2005a: 4). In January 2006, The UK government also issued a consultation paper on trafficking, which features a neologism, 'organised immigration crime', to refer to trafficking and other intersections between organised crime and illegal immigration (Home Office 2006). The securitisation of human trafficking, a phenomenon which, in the wording of the Home Office, 'causes great harm to the individuals involved and to our society as a whole' (Home Office 2006: 3), is paralleled by another important development. At the same time that the European Commission was preparing its action plans, Brussels was the location of another event: sex workers organised an international meeting that would lead to a Declaration of the Rights of Sex Workers in Europe (The International Committee on the Rights of Sex Workers in Europe 2005). The Declaration reiterates international rights that should apply to all citizens – including sex workers. In the section on 'Freedom from Slavery and Forced Labour', the Declaration states the following:

Measures should be taken to ensure that sex workers enjoy full labour rights, are informed of them and have access to the full range of measures and standards to end exploitative working conditions.

Measures should be taken to provide appropriate assistance and protection to victims of trafficking, forced labour & slavery like practices with full respect for the protection of their human rights. Provision of residency permits should be provided to ensure effective access to justice and legal remedies, including compensation, irrespective of their willingness to collaborate with law enforcement. Trafficked persons must not be returned to situations in countries that will lead to their re-trafficking or result in other harms (The International Committee on the Rights of Sex Workers in Europe 2005: 10).

The Declaration also points out that the non-recognition of prostitution as work has 'adverse consequences on the working conditions of sex workers'. These two quasi-simultaneous declarations, the EU's and the sex workers', display two modalities of action and engagement with social problems. On the one hand, there is the problematisation and governmentality of human trafficking in a logic of security and on the other, a politics that verifies equality and enacts liberty. The Declaration of the Rights of Sex Workers in Europe verifies the equality of rights as stated in various EU and international documents. The Commission communication reiterates its politics of security in perfect consonance with a politics of human rights and concern for the particular other.

The Commission communication and the sex workers' Declaration of rights speak of the two modes of politics that this thesis has explored. A politics of security, of closure, and of particularity versus a politics of emancipation and transformation, of equality and liberty. I have started this research with an exploration of what security means and does in the context of human trafficking. Although security was not theorised in the context of human trafficking, the presence of security entailed effects upon what could be said and done about human trafficking. As a nexus of representation and intervention, security creates spaces of abjection, spaces of exclusion and particularity. Security also depoliticises, by mobilising clinical knowledges to understand those who are threatening.

The management of trafficking as a security issue relied on the management of migration, organised crime, and prostitution. The practices that were deployed for governing human trafficking in all these aspects turned 'victims of trafficking' into risky beings, victims of earlier childhood traumas likely to undertake high-risk actions such as illegal migration. The medicalisation and psychologisation of trafficked women through the governmental practices of security depoliticises their forms of resistance. The actions of trafficked women fall either under the heading of illegal migration or under that of clinical reactions.

A politics out of security has started from a shedding away of particularity, from a suspension of classification and representation. The concept of excess, of excessive subjects to a situation can inform a politics that transcends particularity and suspends the governmental vectoring of security. Excessive subjects are not seen as part of the situation, they are not representable, but only exist as an anomaly, as those who should not be there. I have argued that politics starts from the standpoint of illegal migrant sex workers rather than trafficked women. As victims of trafficking are caught in the representations mobilised for the purposes of prevention, new names and identifications that are heterogeneous to governmentality need to be invented to reconfigure their situation. The figure of the worker disrupts the representations and interventions that mobilise clinical and psychological knowledge for the purposes of risk management. It also addresses everybody in the situation and radically challenges the valence of the element which did not exist as positively individuated in a situation. From nothing, illegal migrant prostitutes can become something. The figure of the worker does not erase stories of abuse and violence, it also does not erase the unwillingness of foreign migrant women to be prostitutes. The figure of the worker redefines the situation in which illegal sex workers did not exist and exploited workers could only exist as victims to be voluntarily returned and rehabilitated. A politics of emancipation and transformation radically changes the way people are counted and count in a situation.

The institutional claim by illegal migrant sex workers that they are self-employed workers and hence should be given residence rights is different from the forms of institutional struggles that a Bourdieuean analysis of fields would conceptualise. The

Commission communication was supposed to be a response to a document written up by the European Experts Group on Human Trafficking, a consultative group formed of NGO representatives, academics, and activists. Notwithstanding the recommendations of the 2004 Report they presented to the Commission, the present communication reiterates the EU policies regarding trafficking. Even recommendations to make residence independent of the victim's testimony or to ensure that victims of trafficking are not deported (Experts Group on Trafficking in Human Beings 2004) have been ignored, despite the knowledge and the expertise mobilised by NGOs. Institutional struggles reproduce existing interests, unless considered from the standpoint of those who are excessive, who do not count in the situation.

Excessive subjects formulate egalitarian prescriptions against the state. They challenge situations of domination and discrimination by calling into question the particular mode of counting and representation in a situation. A politics of unmaking security functions as a political event in Badiou's sense, disrupting the logic of security on the basis of a claim to equality and universality. The profoundly inegalitarian claim of security which separates those who are dangerous or risky from those who are not is therefore challenged on the basis of a political claim to equality. This axiomatic claim to equality implies a dimension of universality – equality remains by definition open, addressing everybody.

The inscriptions of equality support liberty and inform insurrectional actions against relations of domination. Yet, the tradition that has opposed liberty to security in political theory has failed to analyse the practices of inequality that allow for the normalisation or regulation of freedom. The reading of Hobbes I have proposed has drawn on a Marxist concern with an insurrectional politics against situations of domination and discrimination. The politics of security, even when it makes room for liberty or it creates freedoms, disavows and attempts to prevent forms of insurrectional politics that are based on the enactment of equality and liberty. Rendering the other dangerous has appeared as a process of rendering them first unequal, taking away forms of insurrectional actions and reducing them to a shadowy existence. Liberty and equality are therefore inseparable,

both in their negation and in their enactment. Just as restrictions on liberty or unfreedoms can only function through an *a priori* denial of equality, a politics of equality is also a politics of liberty. Equality and liberty are not goals to be achieved, programmes to be implemented, but principles of action, maxims that are manifest in struggle.

Through the local verifications of equality and liberty a transformative-emancipatory politics challenges the governmentality of security in its very logic. This thesis has exposed the logic of security through the effects of practices. Under the imaginary of a universal promise, security deploys symbolic practices that transform the social into situations of domination and discrimination. I have argued however that a politics of equality and liberty un-vectors the practices of security. How are we to think the relation between politics and security? Security has appeared as co-extensive to practices of government. Governmentality is not just a theoretical tool for understanding how security functions in institutional locales and creates subjects/objects, but a mode of regulating populations and the social more generally. Security is the governmentality of particularity through classifications that create inequality and suspend the excessive use of freedom.

The analysis of security in the Leviathan has linked this governmental analysis with a larger concern about insurrectional politics. A transformative-emancipatory politics is a form of insurrectional politics, the politics that practices of security have always tried to suspend. Practices of security do not only create spaces of abjection in Butler's terms, they prevent excessive subjects from making excessive claims of equality and liberty. In the separation from insurrectional politics, the constitution and functioning of the Leviathan have entrenched inequality and domination. Equality is only a point of departure in the constitution of the state; the inequality to the sovereign becomes the dominant relation in the functioning of the state. Liberty is disciplined or unequally fostered in particular categories of citizens.

If security is co-extensive to the governmentality of populations, politics unmakes this logic through universality and the inseparability of equality and liberty. Rather than primary, the horizon of society, security is the negation of politics, a politics that makes

claims of equality and liberty against any situation of domination and discrimination. A problematisation of the problematisation of security would steep security back into the political struggles and antagonisms which it tries to silence. Politics explores ongoing struggles in local situations and retrieves their logic of equality, liberty and universality that practices of security attempt to neutralise.

The starting point of theory should be to think politics, however rare its occurrences might be. How is theory to relate to these practices of security? Even a theory which is harnessed to a universal politics of equaliberty needs to conceptualise the relations of power and domination in a situation and its excessive subjects. A politics of equality and liberty requires the continuous application of judgement upon its conditions. All politics needs to be subjected to rigorous thought, to a consideration of its conditions and its openness. Unlike the poststructuralist theory that privileges the abject, a politics of equality and liberty does not immediately endorse a politics of excessive subjects. Not any disruption of the status quo is political and theory needs to engage with these distinctions. Fascism is not only a rupture, but a rupture that gives meaning to the situation, it creates classifications in a situation (Badiou 2005). Fascism is on the side of security and its ultimate particularity, the racial community and not of politics. Without considerations of what political struggles cut across the fabric of the social, we would be caught within the logic of security that creates 'legitimate' forms of exclusion in the name of order, survival, economic processes, welfare, etc.

A politics of equality and universality is neither an easy nor a continuous occurrence in various situations, but requires effort, thought, and even endurance. It appears more difficult than other forms of politics. Similarly, a theory that attempts to enact the principles of a politics of emancipation and transformation is aporetic. Theory creates at the same time a continuity and a dis-continuity with political praxis. While locating excessive subjects and egalitarian forms of politics, it places itself in an impossible situation: it creates divisions of true and false in the very principle of equaliberty that entails the participation of all in politics. A politics of emancipation creates divisions between adherents and opponents. Yet, it preserves the element of universality

in the form of a principle of equaliberty. It is not division that delegitimises either politics or theory, but closure. The division of prescriptive principles is a division without closure, while the divisions of governmentality are reified and closed in their particularity. Theory welcomes the thought of all and politics addresses everybody. The wager of equality and universality that politics makes is braced against situations of domination and discrimination, of inequality and unfreedom. Security is one of the modalities in which domination and discrimination are entrenched, legitimated and reproduced. 'Politics out of security' has addressed this modality of structuring and counting situations and people and its un-vectoring, without making claims about domination more generally. Politics out of security un-vectors the security construction of human trafficking and draws attention to a particular functioning of domination.

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